

ORDINANCE NUMBER 16-27

**AN ORDINANCE OF THE CITY OF WESTFIELD AND WASHINGTON
TOWNSHIP, HAMILTON COUNTY, INDIANA CONCERNING AMENDMENT TO
THE UNIFIED DEVELOPMENT ORDINANCE**

This is a Planned Unit Development District Ordinance (to be known as the “**WOOD WIND PUD DISTRICT**”) to amend the Unified Development Ordinance of the City of Westfield and Washington Township, Hamilton County, Indiana (the "Unified Development Ordinance"), enacted by the City of Westfield pursuant to its authority under the laws of the State of Indiana, Ind. Code § 36-7-4 et seq., as amended.

WHEREAS, the City of Westfield, Indiana (the "City") and the Township of Washington, both of Hamilton County, Indiana are subject to the Unified Development Ordinance;

WHEREAS, the Westfield-Washington Advisory Plan Commission (the "Commission") considered a petition (**Petition No. 1609-PUD-16**), requesting an amendment to the Unified Development Ordinance and to the Zoning Map with regard to the subject real estate more particularly described in **Exhibit A** attached hereto (the "Real Estate");

WHEREAS, the Commission forwarded **Petition No. 1609-PUD-16** to the Common Council of the City of Westfield, Hamilton County, Indiana (the "Common Council") with a _____ recommendation (#-#) in accordance with Indiana Code § 36-7-4-608, as required by Indiana Code § 36-7-4-1505;

WHEREAS, the Secretary of the Commission certified the action of the Commission to the Common Council on _____, 2016;

WHEREAS, the Common Council is subject to the provisions of the Indiana Code §36-7-4-1507 and Indiana Code § 36-7-4-1512 concerning any action on this request; and

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Westfield, Hamilton County, Indiana, meeting in regular session, that the Unified Development Ordinance and Zoning Map are hereby amended as follows:

Section 1. **Applicability of Ordinance.**

- 1.1 The Unified Development Ordinance and Zoning Map are hereby changed to designate the Real Estate as a Planned Unit Development District to be known as the "**WOOD WIND PUD District**" (the "District").
- 1.2 Development of the Real Estate shall be governed by (i) the provisions of this Ordinance and its Exhibits, and (ii) the provisions of the Unified Development Ordinance, as amended and applicable to the Underlying Zoning District or a Planned Unit Development District, except as modified, revised, supplemented or expressly made inapplicable by this Ordinance.
- 1.3 Chapter ("Chapter") and Article ("Article") cross-references of this Ordinance shall hereafter refer to the section as specified and referenced in the Unified Development Ordinance.
- 1.4 All provisions and representations of the Unified Development Ordinance that conflict with the provisions of this Ordinance are hereby made inapplicable to the Real Estate and shall be superseded by the terms of this Ordinance.

Section 2. **Definitions.** Capitalized terms not otherwise defined in this Ordinance shall have the meanings ascribed to them in the Unified Development Ordinance.

2.1 Wood Wind Definitions:

Development Amenities: shall also include the Wood Wind Golf Course and related facilities.

Custom Home Lots: The three (3) lots depicted on the Concept Plan with frontage along 166th Street and the sixty-six (66) lots depicted on the Concept Plan in Area 4 West.

Open Space: shall also include the Wood Wind Golf Course.

Section 3. **Concept Plan.** The Concept Plan, attached hereto as **Exhibit B**, is hereby incorporated in accordance with Article 10.9, F, 2, Planned Unit Development Districts; PUD District Ordinance Requirements; Concept Plan. The Real Estate shall be developed in substantial compliance with the Concept Plan.

Section 4. **District Areas.** The District is hereby divided into eight (8) areas as illustrated on the Concept Plan and labeled as Areas 1 through 5, Multi-Family Area, Flexible Use Area and Commercial Area (individually or collectively, "Area"). Development of each Area shall be regulated as set forth in this Ordinance.

Section 5. **Underlying Zoning District(s).** The Underlying Zoning District of this District shall be as follows:

- 5.1 Area 1: SF2: Single-Family Low Density District.
- 5.2 Area 2: SF2: Single Family Low Density District.
- 5.3 Area 3: SF4: Single-Family High Density District.
- 5.4 Area 4-East: SF3: Single-Family Medium Density District.
- 5.5 Area 4-West: SF1: Single Family Large Lot District.
- 5.6 Area 5: SF4: Single Family High Density District.
- 5.7 Multi-Family Area: MF2: Multi-Family Medium Density District.
- 5.8 Flexible Use Area: LB: Local Business District.
- 5.9 Commercial Area: GB: General Business District.

Section 6. **Permitted Uses.** All uses permitted in the Underlying Zoning District shall be permitted on the Real Estate except as otherwise set forth below.

- 6.1 Single Family Areas 1 & 2: In addition to uses permitted in the Underlying Zoning District, a Golf Course (including a Driving Range, Sit Down Restaurant with Bar area and outdoor seating, and Banquet Center) shall be permitted. Deed restrictions shall provide that the area designated as a Golf Course on the Concept Plan in Areas 1 & 2 be maintained as a golf course available to the public for regular play or Open Space per this District; provided that such deed restrictions shall permit other uses in such area upon the approval of a majority of the then platted lots in Areas 1 through 5; and, provided further, that all such deed restrictions shall terminate upon the 40th anniversary of the adoption of this Ordinance.
- 6.2 Multi-family Area: In addition to uses permitted in the Underlying Zoning District, the following uses shall be permitted:
 - A. Dwelling, Duplex
 - B. Dwelling, Triplex
 - C. Dwelling, Quadraplex
- 6.3 Flexible Use Area: In addition to uses permitted in the Underlying Zoning District, the following uses shall be permitted:
 - A. Dwelling, Multi-Family
 - B. Assisted Living Facility
 - C. Nursing Home
 - D. Educational Institution

6.4 Commercial Area:

- A. Permitted Uses: In addition to uses permitted in the Underlying Zoning District, the following uses shall be permitted
 - 1) One (1) Gasoline Service Station on out lot along 146th Street with hours of operation from 5:00 a.m. - midnight
 - 2) Assisted Living Facility
 - 3) Nursing Home
- B. Prohibited Uses: The following uses shall be prohibited:
 - 1) Self-service car wash
 - 2) Tattoo parlor
 - 3) Tobacco shop
 - 4) Billiard parlor
 - 5) Cemetery monument sales
 - 6) Drive-thru (except where accessory to a bank or drug store)

Section 7. General Regulations. The standards of Chapter 4 Zoning Districts, as applicable to the Underlying Zoning District, shall apply to the development of the District, except as otherwise modified below.

7.1 **Area 1 through Area 5:** Chapter 4 Zoning Districts shall not apply; rather, the individual lot standards set forth in **Exhibit B-3: Single Family District Standards** shall apply to each Area as specified therein.

- A. Maximum Number of Lots – Area 1 through Area 5: The total number of single family lots in Areas 1 through 5, inclusive, of the District shall not exceed a maximum of one-thousand and forty (1,040) lots.
- B. Custom Home Lots: Pulte Homes of Indiana, LLC, or its affiliates, shall not be the builder of homes on the custom home lots.

7.2 **Multi-family Area:** The standards of the Underlying Zoning District shall apply to the Multi-family Area, except as modified below:

- A. Location: The provisions of Chapter 4.11, C., 2. and 3., shall not apply.
- B. Maximum Dwelling Units Per Structure: The provisions of Chapter 4.11, E., shall be changed to thirty-six (36).
- C. Maximum Number of Dwelling Units: The provisions of Chapter 4.11, F., shall be changed to two-hundred and twenty-eight (228).

7.3 **Commercial Area:** The standards of the Underlying Zoning District shall apply to the Commercial Area, except as modified below:

- A. Maximum Single Tenant Size: Sixty-five thousand (65,000) square feet.

7.4 **Flexible Use Area:** The standards of the Underlying Zoning District shall apply to the Flex Area, except as modified below:

- A. **Multi-Family Uses:** Shall comply with the standards of the MF-2: Multi-Family Medium Density District, except as modified below:
 - 1) **Maximum Density:** Twenty (20) dwelling units per acre.
 - 2) **Maximum Number of Units:** One-hundred and eighty (180) dwelling units.

Section 8. **Development Standards.** The standards of Chapter 6 Development Standards shall apply to the development of the District, except as otherwise modified below.

8.1 **Article 6.1 Accessory Buildings or Structures:** Shall apply, except as modified below:

- A. **Maximum Number:** There shall be no maximum number of Accessory Buildings for the Golf Course and related operations. New or expanded Accessory Buildings shall be reviewed and approved by the Department as a Development Amenity.
- B. **Ancillary Structures:** Tents, pavilions, patios and related equipment or displays (e.g., leaderboards) which are ancillary uses to the Golf Course and related uses (e.g., weddings, social events, golf demonstration or training tents), shall be deemed permanent as an ongoing ancillary use to existing operations and shall not require a temporary use permit. This does not exempt such structures or uses from obtaining permits otherwise required by the State or Fire Marshal.

8.2 **Article 6.3 Architectural Standards:** Shall apply, except as modified below:

- A. **Golf Course and Development Amenity Buildings:** Article 6.3 Architectural Standards shall not apply to new and/or expanded Golf Course or Development Amenity buildings; rather, such buildings shall be consistent and compatible with the architectural style and building materials of existing Golf Course buildings as depicted in **Exhibit G - Golf Course Buildings Character Exhibit**, attached hereto. Loading docks for a Golf Course building shall be screened from view from an External Street or adjacent property zoned or used residentially by landscaping or screen walls.
- B. **Single-Family Architectural Standards:** The following shall apply to Single-family Dwellings within the District:
 - 1) **Character Exhibit:** **Exhibit C: Single-Family Character Exhibits**, attached hereto, are hereby incorporated as a compilation of images designed to capture the intended quality and appearance of structures to be constructed in Area 1 through Area 5 of the District. Although the exhibits do not necessarily represent the final design or specify a required architectural style or element, they do hereby establish a

benchmark for the quality and appearance of Single-family Dwellings that are permitted to be constructed and that contribute to the District's intent and vision. The Director shall determine whether a Single-family Dwelling is consistent with the established benchmark and complies with the standards of this Ordinance. The Director's decision may be appealed to the Plan Commission.

- 2) Perimeter Lots: Article 6.3, C, 1 Single-family Districts; Perimeter Lots shall be amended to only apply to those Building Facades on those Lots identified in **Exhibit D-1: Perimeter Lots Subject to Architectural Standards.**
 - a) Qualifying Characteristics: The provisions of Article 6.3, C, 1, b, ii, (d) shall be modified to: permit the use of native grasses in lieu of shrubs; and, eliminate the requirement for a minimum five-foot (5') tall mound.
 - b) Streetscape Diversity for Perimeter Lots: Due to the extensive use of curvilinear streets to minimize rear building facades from facing a perimeter street, Article 6.3, C., 1., b., iv., regarding Streetscape Diversity for Perimeter Lots shall not apply.
- 3) Streetscape Diversity. Article 6.3, C, 2, Single-family Districts; Streetscape Diversity shall apply; provided that, the following shall apply:
 - a) Building Setback Variation: The intent of Article 6.3, C, 2, b, is accomplished through the extensive use of curvilinear street patterns throughout the single family areas of the District.
- 4) Construction Details: In addition to the requirements of Article 6.3, C, 3, the following shall apply to all non-Custom Home lots:
 - a) Garages and Drives: All single family dwellings shall be provided with the following:
 - i. A minimum two (2) car attached garage.
 - ii. Front load garage doors shall include the use of decorative elements substantially similar to those elements depicted in **Exhibit D-2: Illustrative Garage Door Treatments.** The non-door facade of a courtyard-load or side-load garage oriented toward a street shall include a minimum of twenty-five (25) square feet of windows.
 - iii. Two (2) coach lights, located on either side of the garage door. Light fixtures shall be consistent and equipped with a dusk-to-dawn photo cell.
 - iv. All driveways shall be concrete. Asphalt driveways shall

not be permitted.

- v. Uniform mailboxes shall be installed throughout the single family areas.
- b) Exterior Materials: All single family dwellings shall comply with the following exterior building material requirements:
 - i. Siding: Aluminum siding shall be prohibited. Vinyl siding shall be prohibited.
 - iii. Overhangs: Roof overhang or eaves shall be a minimum of twelve (12) inches, as measured prior to the installation of masonry materials.
 - iv. Trim: Wood, fiber cement or equivalent trim shall be used for corners, frieze boards, window wraps, door wraps, and as a transitional material between two different exterior materials.
 - v. Option: An optional water table height or full brick wrap shall be available for all homes.
- c) Miscellaneous: The following provisions shall apply to all single family dwellings:
 - i. Vents: All equipment vents shall not be located on the front façade of the home.
 - ii. Fireplaces: All fireplaces located on the exterior elevation of a home shall be constructed of masonry and shall not be cantilevered or shed chimneys. Interior fireplaces protruding through the roof and not located on an exterior elevation shall not be required to be masonry, provided that a decorative finish of masonry, masonry veneer, stucco or EIFS is used. Stucco and EIFS may only be used from eight (8) feet off of the ground and above.

C. Multi-Family Architectural Standards: Article 6.3, E, shall apply, except as modified by the following:

- 1) Character Exhibits: All multi-family buildings shall be constructed substantially in accordance with **Exhibit H: Multi-Family Area General Design Goals**. The Wood Wind Multi-Family architecture will be an equine or equestrian themed architecture reflective of the community in which it is being built. Rather than a suburban, garden-style multi-family development using the same materials and elements repeated from one project to the next, the Wood Wind development will reflect the rural character of the area. It should represent an architectural style of permanence that will withstand the fluctuations of style and remain appropriate to its environment today and decades from now.

A variety of structures will be provided with various sizes of the typical multi-family footprint pushed to the rear of the site, while more humanly-scaled two-story duplexes will be placed in the public realm at the street front.

Specifically, the details of the equestrian vernacular will be utilized, with the stable building providing the details for the mass of the larger structures, and the carriage house providing the details for the two-story duplex. Buildings will be sited with generous spacing, and oriented to give a loosely structured feel typically found in the rural landscape.

Multi-Family Buildings shall demonstrate the general principles of good design including but not limited to those dealing with form, mass, scale, detail, materials, and colors.

With the creation of a broad range and pattern of materials, architectural elements, and colors from which to select, a project comprised of similar buildings and floorplans can be made to look consistent in quality and detailing, but with variety between one structure to the next.

- 2) Wall Planes: The form or shape of structures should avoid monotonous unbroken planes or unrelieved repetition of shape. Visual interest and shadow can be created by offsetting planes with a variety of depths. No wall shall have a blank uninterrupted length exceeding sixty (60) feet without a minimum two (2) foot recess or bump-out change in plane.
- 3) Roof Design: Roof form is also a key element to achieve desirable form. Buildings shall avoid long, monotonous, roof planes. Simple roof forms will be utilized, but broken down with subordinate elements. Cupolas of consistent character, but varying sizes will be placed at appropriate scales. Shed and gabled dormers will be placed to break up roof planes. Multiple, extended rakes will be used on gable ends. And all roofs will have deep overhangs to accommodate chunky brackets and knee braces, while providing shadow play to reduce the mass of the building. In total, these will provide a classic, attractive character of repetition, rhythm and symmetry
- 4) Building Mass: Structures shall not be of such mass that they dominate their surroundings or adjacent development. Architectural form and detailing must be used to reduce the appearance of the mass of the structure. Clean, simple, appropriate details are desirable while excessive ornamentation is to be avoided. Details should be consistent with the design concept for the entire structure. Their purpose should be to provide visual interest, human scale, and architectural interest. Window openings must be in proportion to the façade or façade

element and have a unified relationship in overall design.

- 5) Building Materials: All materials should be high quality, durable materials, suitable for the environment. A variety of compatible contrasting textures should be used to provide visual interest. Single material façades are not appropriate. Materials should be arranged in logical fashion, lighter above heavier, and in relationship to other materials in terms of percentage, not equal or dominating. Material selection for each building should be a function of honoring the selected architecture, rather than meeting a pre-determined mathematical standard used to ensure cheap materials will not be used. A classic palette of clapboard siding, board and batten, shakes, metal on secondary roof elements, and stone or brick at the foundation will be utilized. Exterior entrances should be clearly defined and visible by using distinct materials.
- 6) Exterior Colors: The overall exterior color scheme must be selected to be harmonious with the area and blend with the natural surroundings of the site. Colors shall not be used to cause the structure to stand out from others or its background, and shall not include the use of high intensity colors. Consideration must be given to the compatibility of colors with those existing in the vicinity, and a complementary variety should be considered in differentiating adjacent buildings within the project itself
- 7) Mechanical Screening: Mechanicals should be hidden from view. Accessory structures should be compatible with principle structures in terms of character, roof shape, building material, color, and architectural detail.
- 8) Building Exterior: Design detailing shall be continued completely around the building consistent with the building's intended architectural style. Detailing elements shall include, but are not limited to, number and style of windows, window placement, trim detailing, roof design, and exterior materials.
 - a) Multi-Family Buildings: All multi-family buildings shall be constructed with building materials as follows:
 - i. Minimum of a masonry water table at the first floor window sill on all sides for one-story buildings, and up to 100% on all sides;
 - ii. 50% masonry on all sides of first story of 2-story buildings;
 - iii. 50% masonry first story, 20% on all other stories of buildings over 2-story; or,
 - iv. Different Materials. A minimum of three (3) different materials shall be utilized for building exteriors, with no

less than 10% of the tertiary material, including:

- (a) Wood or wood composite siding;
 - (b) Brick; or,
 - (c) Stone.
- b) Duplexes: Two-Story Duplexes shall have a minimum of 60% masonry on any three consecutive buildings, and a minimum of a watertable at the first floor window sill on any of the three to encourage a variety of design, with at least one of the three structures comprised primarily of masonry material. Two-story duplexes are exempt from the three material minimum if the building is exclusively masonry
- c) Siding: Vinyl siding and aluminum siding shall be prohibited, except for window cladding and decorative shutters
- d) Patios: Patio and balconies must remain open and shall not be enclosed after occupancy. Patios fronting on, and level with, a public street shall be shielded with material compatible with the architectural character of the project or with shrubs.
- e) Color: A minimum of two different colors shall be used for building exteriors, with a maximum of three. Adjacent buildings shall use a different but complementary color palette to ensure a variety of structures
- f) Chimneys: Chimney chases must be enclosed with masonry.
- g) Windows: A Building Facade shall incorporate a minimum of one (1) window (a minimum size of fifteen (15) square feet) or door (with a minimum of fifteen (15) square feet of glass) per Dwelling Unit located along that Building Façade. Required windows may be located anywhere on the Building Façade, as architecturally appropriate. All windows shall have treatment consisting of either: (i) shutters (that match the size of the window); or (ii) casing (a minimum of three and one-half (3.5) inches in dimension). Window grids shall be used on all operable non-casement windows on all elevations.
- 9) Roof Articulation: Structures shall not have flat roofs, and shall use traditional roof forms including, but not limited to gables, hips, dormers, and cupolas.

All roof pitches should be 5/12 minimum, exclusive of porches, bump-outs, or dormers, and shall have an 18" overhang minimum. A roof pitch of 4/12 may be allowed with a minimum 24" roof overhang. Shed roofs (single-plane pitched roofs) are permitted only when the ridge is attached to an exterior wall of a building, or when used as a dormer and shall conform to pitch requirements.

- 10) Screening: Storage areas, air conditioning compressors, loading areas, roof objects, trash containers, satellite dishes larger than twenty-four (24) inches in diameter, utility boxes, and maintenance facilities shall either be housed in closed buildings or otherwise screened from view from public streets. Such screening shall include landscaping or permanent fences or solid materials of an architectural style complementary of the overall development.
 - 11) Parking: Parking and Loading requirements shall conform to the overall City of Westfield standards, and shall also include the following:
 - a) Garages and perimeter carports shall be constructed with compatible architectural treatment with other site elements, including pitched roofs, enclosed gables and roof materials that match the main buildings, and shall also be landscaped on all sides not required for ingress, egress, or vehicular circulation.
 - b) All parking lighting shall be erected on wood light poles to complement the design character of the development. Banner signage is prohibited on parking lighting standards.
- D. Commercial Area Architectural Standards: All Buildings within the Commercial Area shall comply with Article 6.3, F, except as modified below:
- 1) Character Exhibits: All commercial buildings shall be constructed substantially in accordance with **Exhibit I: Commercial Area Architectural Character Imagery**. Commercial buildings will be designed and crafted using themes similar to the multi-family residential buildings proposed in the Wood Wind PUD, thereby reinforcing the rural and equestrian themed architecture of the area. Commercial buildings are proposed to include such features as:
 - a) Hip & Gable roof forms with cupolas.
 - b) Similar classic palette of materials.
 - c) Traditional & familiar architectural language.
 - d) Landscape & hardscape placed & configured to 'soften' buildings & enhance the pedestrian experience.
 - e) Building facades crafted with clapboard siding, board & batten, traditional cement stucco, brick & stone veneer, & metal roofs.
 - f) Traditional architectural detailing designed & crafted with care, true to the historical & regional precedents.
 - g) Scale of larger commercial buildings broken down with facade articulation, fenestration and material changes.

- 2) Wall Planes: On buildings along Towne Road or 146th Street, no wall that faces either of these two streets shall have a blank, uninterrupted length exceeding thirty (30) feet without including one of the following: change in plane, change in height, change in texture or masonry pattern; doors, windows, faux windows, trellis' with vines, or an equivalent element that subdivides the wall into human scale proportions. Side or rear walls along designated walkways may incorporate the use of false windows and door openings defined by frames, sills and lintels, or similarly proportioned modulations of the wall to break up the facade to meet this requirement.
- 3) Drive-thru facilities and Fueling Stations: On Lots adjacent to the 146th Street or Towne Road right-of-way line (and also including Lots where the Lot Line may not be immediately adjacent to the 146th Street or Towne Road right-of-way line, but Lot Line is located in such a manner that no Principal Building can reasonably be constructed between the Lot and the 146th Street or Towne Road right-of-way line) the following standards shall apply:
 - a) Drive-thru windows and lanes shall not be permitted closer to the right-of-way line of 146th Street or Towne Road than the Building Façade nearest to said right-of-way, except as an end cap to the primary building nearest 146th Street.
 - b) Vehicular fuel pumps and canopies shall be setback a minimum of thirty (30) feet farther from the 146th Street or Towne Road right-of-way line than the Established Front Yard of the Principal Building to which the fuel pumps or canopies are appurtenant or associated.
- 4) Building Height: Buildings (other than Buildings located upon an Outlot) along Towne Road or 146th Street shall appear (at a minimum) as one and one-half (1 - 1/2) stories from the front and sides. The minimum height for the front facade of any building (facing either Towne Road or 146th Street) shall be twenty (20) feet, either at the roofline or at the top of the parapet wall. Minimum heights for other sides of the buildings shall be eighteen (18) feet, either at the roofline or at the top of the parapet wall.
- 5) Franchise Architecture: Any use of franchise specific architecture or architectural elements shall be subordinate to the rural character and equestrian themed design elements of the overall commercial area.

- E. Flexible Use Area Architectural Standards: All buildings within the Flexible Use Area shall comply with Article 6.3, F, except as modified below:
- 1) Multi-Family Buildings: All multi-family buildings shall comply with the requirements of Article 8.2, C of this District.
 - 2) Commercial Buildings: All commercial buildings shall comply with the requirements of Article 8.2, D of this District, and further Article 6.3, F, 7, b, iv, Roof Design shall not apply.
- 8.3 **Article 6.5 Fence Standard**: Shall apply. Open wire mesh or chain-link fencing surrounding Golf Course uses may be erected to a height that meets national regulations for the sport, or an increased height specified by the Department of Public Works, to protect nearby vehicular and pedestrian traffic or buildings.
- 8.4 **Article 6.8 Landscaping Standards**: Shall apply, except as modified below:
- A. Article 6.8, I – Detention and Retention Areas: Shall not apply to the Golf Course and Development Amenities areas.
- B. Article 6.8, K – Minimum Lot Landscaping Requirements: Shall not apply to the Golf Course and Development Amenities areas.
- C. Article 6.8, M – External Street Frontage Landscaping Requirements: Shall not apply; rather, the following shall apply.
- 1) Golf Course and Development Amenities: No External Street Frontage Landscaping shall be required along Golf Course and Development Amenity parcels abutting an External Street. Existing golf cart paths and fencing on the Golf Course and Development Amenity parcels may encroach into current or future rights-of-way. To the extent that such encroachments do not interfere with current or future roadway improvements, such encroachments shall be permitted to remain.
 - 2) Single-family Residential & Multi-Family: A landscaping area consistent with **Exhibit E-1: Road Frontage Landscaping** (i.e., consistent with Article 6.8, M, 1, except that the 3' mound has been removed consistent with a natural landscape theme), shall be required abutting an External Street of both: Single Family Areas 1 through 5 (except as otherwise exempted herein for Golf Course and Development Amenity areas); and, the Multi-Family Area.
- D. Article 6.8, N, Buffer Yard Requirements: Shall apply to the District, except as modified below:
- 1) All Areas: Article 6.8, N, Buffer Yard Requirements shall not apply; rather, the following shall apply:
 - a) Location: Buffer Yards shall be required in those locations as depicted on **Exhibit E-2: Buffer Yard Locations**.

b) Buffer Yard Types: Buffer Yards shall comply with the minimum requirements as set forth below:

- i. Buffer Type A shall have a minimum width of 100'. Buffer Type A shall be used in areas where there is 100' or more of Open Space containing any of or combination of the following: golf course, retention, existing woodlands.
- ii. Buffer Type B shall have a minimum width of 50' and shall be planted as a Reforestation Buffer with a combination of native trees (including whips), shrubs, grasses and wildflowers. The plantings shall be on a standard reforestation ten (10) foot by eleven (11) foot spacing. In addition, two rows of trees with a mix of Shade Trees, Ornamental Trees and Evergreen Trees and one row of native shrubs are required.
- iii. Buffer Type C shall have a minimum width of 30' and shall include a minimum of three (3) Shade Trees, three (3) Evergreen Trees, ten (10) shrubs and a mixture of native plantings (see **Exhibit E-3: Buffer Yard Type C**).
- iv. Buffer Type D shall have a minimum width of 15' and shall include a minimum of two (2) Shade Trees, three (3) Evergreen Trees and ten (10) shrubs (see **Exhibit E-4: Buffer Yard Type D**).

E. Article 6.8, O, Parking Area Landscaping: Shall apply to the District, except as modified below:

- 1) Golf Course and Development Amenities: Subsection (1) Interior Parking Area Landscaping shall not apply to the Golf Course and Development Amenities areas.

8.5 **Article 6.14, G, Off-street Parking**: Shall apply to the District, except as modified below:

- 1) Golf Course and Development Amenities: The requirements of Subsection 7, b, regarding curbs and gutters for Parking Areas shall not apply to the Golf Course and Development Amenity areas.

8.6 **Article 6.17 Signs Standards**: Shall apply. In addition, the following shall also apply:

- A. Golf Course and Development Amenity Signs: Article 6.17 Sign Standards shall apply to the Golf Course and Development Amenities. In addition, the following signs shall be permitted and shall not count against otherwise permitted Signs for the Golf Course and Development Amenities. These signs shall not require a sign permit and shall not be visible from the public right-of-way or adjoining residential properties:

- 1) Leaderboard Signs: Signs with scoring or leader board information with manual or digital changeable copy area. Outdoor televisions screens shall not be visible from public rights-of-way or adjoining residential properties, and shall not be considered signs.
 - 2) Message Signs: Message or announcement boards mounted to Golf Course or Development Amenity buildings.
 - 3) Golf Course Hole Signs: All temporary or permanent signs related to tours or layout of the Golf Course or Development Amenities (e.g., hole numbers, description of area or directional signs for tours).
 - 4) Directional / Circulation Signs: Signs two (2) square feet or less in Sign Area and located along internal drives and parking areas within the Golf Course and Development Amenity areas.
- B. Single-Family Residential: Article 6.17 Sign Standards shall apply to Area 1 through Area 5, except as modified below, Article 6.17, G., 1., and Article 6.17, H., shall be replaced with the following:
- 1) Identification with the City: Article 6.17, F, 7, shall not apply.
 - 2) Monument Signs: Article 6.17, G, 1, and Article 6.17, H, shall not apply; rather, the following shall apply:
 - a) Column Signs for Individual Entrances: Individual entrances to the various Areas within the District shall be permitted to be identified by “column” signs substantially similar to **Exhibit F: District Monument Sign & Column Entrance Signs**. The name of the individual Area may also be included on the column as depicted. Columns may be located either on each side of an entrance drive or in a median entrance feature subject to the approval of the Director and the Department of Public Works, if located within the right-of-way. Columns shall not exceed fifteen (15) feet in height. The total sign surface area of any sign or signs placed on an individual Column shall not exceed fifty (50) square feet in area.
 - b) District Monument Signs: A monument sign shall be permitted at the corner of 161st Street and Towne Road to identify “Wood Wind of Westfield”. The words “of Westfield” shall be a minimum of fifty percent (50%) of the size of the words “Wood Wind”. The sign area shall not exceed seventy (70) square feet in area, six (6) feet in height or thirty-five (35) feet in width.

- c) Temporary Signage: The design objectives of Article 6.17, K., 2., shall be replaced with the following:
 - i. Construction Signs: Signs advertising construction projects, provided that such Signs shall not exceed sixty-four (64) square feet per face, are placed wholly on the subject property, do not exceed ten (10) feet in height, are limited to a maximum of one (1) sign per Street Frontage per each Area identified on **Exhibit B-1: Single Family District Areas**, and shall be removed at the end of construction. For the purposes of this section, the construction project and the subject property shall include all Areas within the District
 - d) Builder / Developer Directional Signs On-Site: Article 6.17, K, 6, b, iii, shall not apply.
 - e) Installation: Signs shall be erected in the development and may be located along project frontages on Town Road and at neighborhood entry points.
- C. Multi-Family Area: Article 6.17 Sign Standards shall apply to the multi-family, except as modified below:
- 1) All monument signage shall be three-dimensional in nature, through sandblasting or pin mounted letters.
 - 2) All monument sign panels shall be constructed of wood or sign board (HDU or equivalent).
 - 3) Any pin-mounted elements shall have a matte finish.
 - 4) Internally lit monument signs shall be prohibited.
 - 5) Monument sign design shall complement the architecture of the development, and should integrate into an architectural element such as a fence or entry feature, where applicable.
 - 6) Interior Directional Signs, Street Name Signs, and Speed Limit signs shall be mounted on 4"x 4" wooden posts with solid stain and architectural detailing to complement the architecture of the development, and shall be designed to meet breakaway standards of the Indiana Department of Transportation.

Section 9. **Infrastructure Standards.** The District's infrastructure shall comply with Chapter 7 Subdivision Regulations of the Unified Development Ordinance and the City's Construction Standards, unless otherwise approved by the Department of Public Works.

Section 10. Design Standards. The standards of Chapter 8 Design Standards shall apply to the development of the District, except as otherwise modified below.

- 10.1 Article 8.1 Block Standards: Shall not apply.
- 10.2 Article 8.6 Open Space and Amenity Standards: Shall apply, except as modified below:
- A. Minimum Open Space: Article 8.6, B, 1, Minimum Open Space shall be amended for Area 1 through Area 5 to require that Open Space in the District shall be provided in the location as depicted on the Concept Plan. The quantity of Open Space within Area 1 through Area 5 shall be as indicated in the chart Minimum Open Space By Area found below. For the purposes of this regulation, the Golf Course shall be considered as Open Space.

Minimum Open Space By Area

	Area 1	Area 2	Area 3	Area 4	Area 5	TOTAL
Minimum Open Space*	61 acres	88 acres	16 acres	40 acres	10 acres	215 acres
* Open Space within each area may vary by up to 10% from the figure shown, provided that the total amount of open space shall not be decreased.						

- B. Timing of Installation: Article 8.6, F, 3, Timing of Installation shall not apply to Areas 1 and 2; rather, the following shall apply:
- 1) Golf Course: The Golf Course and associated amenities shall be partially redesigned, modernized and upgraded. Other than temporary closures required to implement such redesign, modernizing and upgrades, or to accommodate the construction of other Development Amenities, the Golf Course shall remain open and available to the public; provided that, if the Golf Course is no longer operated, the land area which makes up the Golf Course shall remain as Open Space.
 - 2) Development Amenity Center: The Development Amenity Center, as identified on the Concept Plan on the north side of 161st Street within Area 1, shall be constructed in two (2) phases as follows:
 - a) Phase One: Phase One shall include three (3) swimming pools (lap pool, resort pool, and a kiddie pool) and associated bath house (restrooms and showers). Construction of this phase shall commence at or prior to the issuance of the 75th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2018, whichever occurs later. Phase One improvements shall be completed within one (1) year of commencement.

- b) Phase Two: Phase Two shall include a sport court/multi-purpose room and fitness center and tennis courts, basketball courts and a playground. Construction of this phase shall commence at or prior to issuance of the 160th Improvement Location Permit for a Single-Family Dwelling within the District, or by October 31, 2019, whichever occurs later. Phase Two improvements shall be completed within one (1) year of commencement.

10.3 Article 8.7 Pedestrian Network Standards: Shall apply, however, provided however:

- A. Article 8.7, C, 2, Internal Pedestrian Network Standards shall be amended to require that sidewalks and trails be installed in accordance with the Concept Plan, and
- B. Article 8.7, D, 1, Perimeter / External Pedestrian Network Standards shall be amended to provide that no pedestrian path, jogging path or bicycle path shall be required along the perimeter streets of the Custom Home Lots fronting on 166th Street.

ALL OF WHICH IS ORDAINED/RESOLVED THIS ## DAY OF _____, 2016.

WESTFIELD CITY COUNCIL

Voting For

Voting Against

Abstain

Jim Ake

Jim Ake

Jim Ake

James J. Ewards

James J. Ewards

James J. Ewards

Steven Hoover

Steven Hoover

Steven Hoover

Robert L. Horkay

Robert L. Horkay

Robert L. Horkay

Mark F. Keen

Mark F. Keen

Mark F. Keen

Charles Lehman

Charles Lehman

Charles Lehman

Cindy L. Spoljaric

Cindy L. Spoljaric

Cindy L. Spoljaric

ATTEST:

Cindy Gossard, Clerk Treasurer

I hereby certify that **ORDINANCE 16-27** was delivered to the Mayor of Westfield
on the _____ day of _____, 2016, at _____ m.

Cindy Gossard, Clerk-Treasurer

I hereby APPROVE **ORDINANCE 16-27**
this _____ day of _____, 2016.

I hereby VETO **ORDINANCE 16-27**
this _____ day of _____, 2016.

J. Andrew Cook, Mayor

J. Andrew Cook, Mayor

This document prepared by:

Joseph M. Scimia, Partner, Ice Miller LLP, One American Square, Suite 2900, Indianapolis, IN 46282-0200; and,

Eugene Valanzano, Senior Land Use Consultant, Faegre Baker Daniels, 600 E. 96th Street, Suite 600, Indianapolis, IN 46240

I affirm, under the penalties for perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law: Joseph M. Scimia

SCHEDULE OF EXHIBITS

Exhibit A: Real Estate

- Exhibit A-1: Area Map
- Exhibit A-2: Parcel Ownership List
- Exhibit A-3: Legal Description

Exhibit B: Concept Plans

- Exhibit B-1: Single Family District Areas
- Exhibit B-2: Single Family District Layout
 - Exhibit B-2-A: Single Family District Layout – Area 1
 - Exhibit B-2-B: Single Family District Layout – Area 2
 - Exhibit B-2-C: Single Family District Layout – Area 3
 - Exhibit B-2-D: Single Family District Layout – Area 4
 - Exhibit B-2-E: Single Family District Layout – Area 5
- Exhibit B-3: Single Family District Standards
- Exhibit B-4: Commercial / Flexible Use / Multi-family Area
 - Exhibit B-4-A: Commercial / Flexible Use / Multi-family Concept Plan
 - Exhibit B-4-B: Commercial / Flexible Use / Multi-family Area Districts

Exhibit C: Single-Family Character Exhibits

- Exhibit C-1: Illustrative Front Elevations for Area 1 and Area 4 East
- Exhibit C-2: Illustrative Front Elevations for Area 2
- Exhibit C-3: Illustrative Front Elevations for Area 3
- Exhibit C-4: Illustrative Front Elevations for Area 5

Exhibit D: Streetscape Exhibits

- Exhibit D-1: Perimeter Lots Subject to Architectural Standards
- Exhibit D-2: Illustrative Garage Door Treatments

Exhibit E: Buffer Yard Exhibits

- Exhibit E-1: Road Frontage Landscaping
- Exhibit E-2: Buffer Yard Locations
- Exhibit E-3: Buffer Yard Type C
- Exhibit E-4: Buffer Yard Type D

Exhibit F: District Monument Sign & Column Entrance Signs

Exhibit G: Golf Course Buildings Character Exhibit

Exhibit H: Multi-Family Area General Design Goals

Exhibit I: Commercial Area Architectural Character Imagery

Exhibit A: Real Estate

Exhibit A-1: Area Map (Amended)

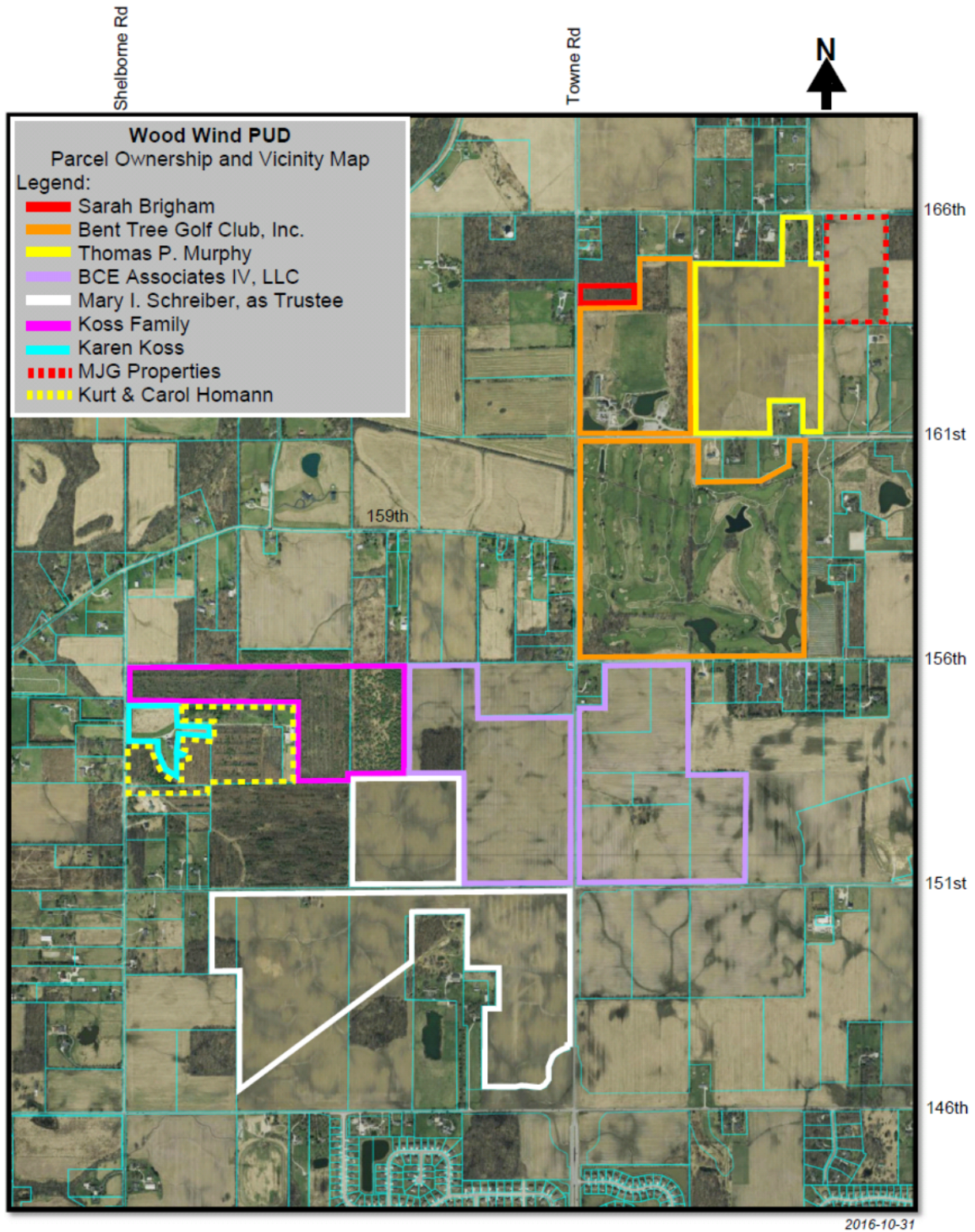


Exhibit A-2: Parcel Ownership List (Amended)

Ownership Name & Mailing Address	Hamilton County Tax Parcel Number
Bent Tree Golf Club, Inc. 234 S. Franklin Road Indianapolis, IN 46219	08-09-09-00-00-003.001
Sarah Jane Brigham, also known as Jane Brigham 2041 W. 161 st Street Westfield, IN 46074	08-09-09-00-00-003.002
Thomas P. Murphy 12618 Winding Creek Lane Fishers, IN 46038	08-09-09-00-00-004.000 08-09-09-00-00-005.000 08-09-09-00-00-006.004
BCE Associates IV, LLC P.O. Box 280 Zionsville, IN 46077	08-09-16-00-00-001.002 08-09-16-00-00-001.003 08-09-16-00-00-020.000 08-09-16-00-00-021.000 08-09-16-00-00-021.001 08-09-16-00-00-022.000 08-09-17-00-00-006.000 08-09-17-00-00-007.000
Mary I. Schreiber, as Trustee of the Timothy J. Murphy Trust 7604 Cider Mill Court Fishers, IN 46038-2695	08-09-17-00-00-004.000 08-09-17-00-00-008.000 08-09-17-00-00-008.001 08-09-17-00-00-009.000 08-09-17-00-00-013.000
William & Karen Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-005.000
William, Karen, Mary, Ruth, and Sarah Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-003.001
MJG Properties LLC P.O. Box 6 Cora, WY 82925	08-09-09-00-00-007.001
Kurt & Carol Homann 320 N. Kennedy Place Crawfordsville, IN 47933	08-09-17-00-00-001.001 08-09-17-00-00-001.101 08-09-17-00-00-002.501 08-09-17-00-00-003.002
Karen J. Koss 15411 Shelborne Road Westfield, IN 46074	08-09-17-00-00-001.000

Exhibit A-3: Legal Description (Amended)

Bent Tree Parcel (from Instrument #2011005626):

Part of the west half of the Northwest Quarter and the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, and being more particularly described as follows:

Beginning at the southwest corner of the Southwest Quarter of Section 9; thence North 00 degrees 00 minutes 00 seconds East (an assumed bearing) along the West line of said Southwest Quarter a distance of 2632.22 feet to the northwest corner of said Southwest Quarter, also being the southwest corner of the west half of the Northwest Quarter of said Section 9; thence North 00 degrees 05 minutes 27 seconds West along the west line of said west half a distance of 1549.77 feet; thence North 89 degrees 41 minutes 48 seconds East 700.59 feet; thence North 00 degrees 10 minutes 40 seconds East 1084.10 feet to the north line of said west half; North 89 degrees 34 minutes 29 seconds East along the north line of said west half a distance of 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 2631.54 feet to the southeast corner of said west half, also being on the north line of the Southwest Quarter of said Section 9; thence North 89 degrees 32 minutes 31 seconds East along said north line 101.06 feet; thence South 00 degrees 27 minutes 29 seconds East 495.00 feet; thence North 89 degrees 32 minutes 31 seconds East 685.00 feet; thence North 00 degrees 27 minutes 29 seconds West 495 feet to the north line of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East along said north line 572.87 feet to the northeast corner of said Southwest Quarter; thence South 00 degrees 02 minutes 26 seconds East along the east line of said Southwest Quarter 2627.24 feet to the southeast corner of said Southwest Quarter; thence South 89 degrees 26 minutes 14 seconds West along the south line of said Southwest Quarter a distance of 2719.77 feet to the Point of Beginning.

EXCEPT:

A part of the Southwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and being described as follows:

Commencing at the northwest corner of said Southwest Quarter; thence North 89 degrees 32 minutes 31 seconds East (an assumed bearing) along the north line of said Southwest Quarter a distance of 2145.00 feet to the Point of Beginning; thence continue North 89 degrees 32 minutes 31 seconds East along said north line 320.47 feet; thence South 00 degrees 02 minutes 24 seconds East parallel with the east line of said Southwest Quarter a distance of 324.21 feet; thence South 61 degrees 18 minutes 36 seconds West 361.06 feet to the southeasterly corner of a tract of land conveyed to Sarah Jane Brigham, recorded as Instrument No. 9609647425 in the Office of the Recorder of Hamilton County; thence North 00 degrees 27 minutes 29 seconds West along the easterly line of said Brigham tract 495.00 feet to the Point of Beginning.

ALSO EXCEPT:

Part of the west half of the Northwest Quarter of Section 9, Township 18 North, Range 3 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, and described as follows:

Commencing at the northwest corner of said west half; thence North 89 degrees 34 minutes 29 seconds East (an assumed bearing) along the north line of said West half a distance of 705.68 feet to the Point of Beginning; thence continue North 89 degrees 34 minutes 29 seconds East along said north line 651.69 feet to the northeast corner of said west half; thence South 00 degrees 07 minutes 29 seconds East along the east line of said west half a distance of 500.00 feet; thence South 89 degrees 34 minutes 29 seconds West parallel with the north line of said west half a distance of 654.33 feet to the easterly line of a Classified Forest as described in Miscellaneous Record Book 157, page 42 as recorded in the Office of the Hamilton County Recorder, thence North 00 degrees 10 minutes 40 seconds East along the east line of said Forest, a distance of 500 feet to the Point of Beginning.

Brigham Parcel (Parcel 2 of Instrument #9609647425):

A part of the Northwest Quarter of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, being more specifically described as follows:

BEGINNING at a point on the North line of the Northwest Quarter of Section 9, Township 18 North, Range 3 East, said POINT OF BEGINNING being the Northeast corner of a 3.52 acre tract described in Deed Record 132, Page 140 and 278.00 feet East of the Northwest corner of said Northwest Quarter; thence Easterly 442 feet more or less on and along the North line of said Northwest Quarter; thence Southerly 1075 feet more or less; thence Westerly 710 feet more or less to the West line of said Northwest Quarter; thence Northerly 541 feet more or less, on and along the West line of said Northwest Quarter to the Southwest corner of said 3.52 acre tract, said Southwest corner being South 528.8 feet of the Northwest corner of said Northwest Quarter; thence Easterly 294.6 feet on and along the South line of said 3.52 acre tract to its Southeast corner thereof, said Southeast corner being 294.0 feet East of the West line of said Northwest Quarter; thence Northerly 544.6 feet on and along the East line of said 3.52, acre tract to the POINT OF BEGINNING. Containing 14 acres more or less, being subject to all applicable easements and rights-of-way of record.

BCE Parcels (description from survey):

A part of the Northwest Quarter of Section 16 and a part of the Northeast Quarter of Section 17, all in Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 1322.16 feet to a 5/8 inch rebar marking the Southwest corner of the East Half of said Northeast Quarter; thence North 00 degrees 19 minutes 45 seconds East

along the West line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southeast corner of the Northwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the South line thereof a distance of 660.10 feet to the Southwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 00 degrees 22 minutes 24 seconds East along the West line thereof a distance of 1312.48 feet to the Northwest corner of the East Half of the Northwest Quarter of said Northeast Quarter; thence North 89 degrees 04 minutes 09 seconds East along the North line thereof a distance of 851.39 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Northwest corner of a tract of land described in Instrument Number 2012070185 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 14 minutes 27 seconds West along the West line thereof a distance of 623.92 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" marking the Southwest corner of said tract; thence North 89 degrees 04 minutes 09 seconds East along the South line thereof a distance of 1126.00 feet to a "Mag" nail marking the Southeast corner of said tract, said point also being on the East line of said Northeast Quarter; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof a distance of 108.92 feet to the "Mag" nail marking the Southwest corner of a tract of land described in Instrument Number 2015038724 in said Recorder's Office; thence North 89 degrees 43 minutes 41 seconds East along the South line thereof a distance of 315.00 feet to the Southeast corner of said tract; thence North 00 degrees 14 minutes 27 seconds East along the East line thereof and along the East line of a tract of land described in Instrument Number 200200059827 in said Recorder's Office a distance of 515.00 feet to a Railroad spike marking the Northeast corner of said tract, said point also being on the North line of said Northwest Quarter; thence North 89 degrees 43 minutes 41 seconds East along the North line thereof a distance of 1044.79 feet to the Northeast corner of the Northwest Quarter of said Northwest Quarter; thence South 00 degrees 17 minutes 57 seconds West along the East line thereof a distance of 1316.87 feet to a 5/8 inch rebar marking the Northwest corner of the Southeast Quarter of said Northwest Quarter; thence North 89 degrees 38 minutes 28 seconds East along the North line thereof a distance of 679.23 feet to the Northeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 00 degrees 19 minutes 43 seconds West along the East line thereof a distance of 1315.85 feet to a Railroad spike marking the Southeast corner of the West Half of the Southeast Quarter of said Northwest Quarter; thence South 89 degrees 33 minutes 16 seconds West along the South line of said Northwest Quarter a distance of 2035.71 feet to the POINT OF BEGINNING. Containing 182.550 acres, more or less.

Koss Family (from Quit Claim Deeds #9251631 and #9300783):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East, Hamilton County, Indiana, and being more particularly described as follows: Beginning at the Northwest corner of said quarter section; thence North 89 degrees 28 minutes 08 seconds East along the North line of said quarter section, 2655.27 feet to the Northeast corner thereof; thence South 0 degrees 13 minutes 42 seconds West along the East line of said quarter section 1383.32 feet; thence South 88 degrees 51 minutes 21 seconds West 643.22 feet; thence North 0 degrees 12 minutes 06 seconds West 919.39 feet; thence South 89 degrees 38 minutes 09 seconds West 1360.14 feet; thence North 89 degrees 28 minutes 09 seconds West 643.23 feet to the West line of said quarter section; thence North 0 degrees 00

minutes 00 seconds East along said west line, 454.85 feet to the point of beginning and containing 42.069 acres, more or less. Subject to right of way for Shelbourne Road off the entire West side thereof and all other legal easements and rights of way of record.

Koss Parents (Parcel II of Instrument #9709702004):

The West Half of the Northwest Quarter of the Northeast Quarter of Section Seventeen (17), Township Eighteen (18) North, Range Three (3) East in Hamilton County, Indiana, containing Twenty (20) acres, more or less.

Murphy Parcels (from Instrument #9909901082):

26.5 ACRES OFF AND ALONG THE ENTIRE SOUTH SIDE OF THE FOLLOWING DESCRIBED TRACT OF REAL ESTATE: BEGIN AT A STONE 181 FEET EAST OF THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST AND RUN WEST 1539.4 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF SAID QUARTER SECTION, THENCE SOUTH TO THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION, THENCE EAST 1538.46 FEET TO A STONE, THENCE NORTH 1317.50 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.5 ACRES, MORE OR LESS, IN HAMILTON COUNTY, INDIANA.

ALSO:

PART OF THE SOUTH HALF OF THE NORTH HALF OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, AS FOLLOWS: BEGIN AT A STONE AT THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SAID SECTION 9, AND RUN NORTH ON THE WEST LINE OF SAID EAST HALF OF NORTHWEST QUARTER TO THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER, EAST 1538.46 FEET TO A STONE, THENCE SOUTH 1317.5 FEET TO A STONE ON SOUTH LINE OF SAID EAST HALF, THENCE WEST 1537.5 FEET TO THE PLACE OF BEGINNING, CONTAINING 46.80 ACRES, MORE OR LESS, IN WASHINGTON TOWNSHIP, HAMILTON COUNTY, INDIANA.

EXCEPT:

PART OF THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 18 NORTH, RANGE 3 EAST, IN HAMILTON COUNTY, INDIANA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE SOUTH LINE OF SAID QUARTER SECTION BEING SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST (ASSUMED BEARING) 84.51 FEET FROM THE SOUTHEAST CORNER THEREOF; THENCE CONTINUE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST ALONG SAID SOUTH LINE, 332.52 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 393.00 FEET; THENCE NORTH 90 DEGREES 00 SECONDS EAST, PARALLEL WITH SAID SOUTH LINE, 332.52 FEET; THENCE SOUTH 0 DEGREES

00 MINUTES 00 SECONDS WEST 393.00 FEET TO THE POINT OF BEGINNING.

Schreiber Parcel (description from Schreiber survey):

Parcel 1:

A part of the Northeast, Southwest and Southeast Quarters of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

COMMENCING at an Iron pin marking the Southeast corner of the Northeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the South line thereof a distance of 562.25 feet to a "Mag" nail marking the POINT OF BEGINNING of this description; thence continuing South 89 degrees 26 minutes 39 seconds West along the South line thereof a distance of 759.91 feet to a 5/8 inch rebar marking the Southeast corner of the Southwest Quarter of said Northeast Quarter; thence North 00 degrees 19 minutes 45 seconds East along the East line thereof a distance of 1314.62 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" (hereafter referred to as capped rebar) marking the Northeast corner of the Southwest Quarter of said Northeast Quarter; thence South 89 degrees 15 minutes 25 seconds West along the North line thereof a distance of 1320.21 feet to the Northwest corner of the Southwest Quarter of said Northeast Quarter; thence South 00 degrees 25 minutes 05 seconds West along the West line thereof a distance of 1310.34 feet to a stone marking the Northeast corner of the Southwest Quarter of said Section 17; thence South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 1323.12 feet to the Northwest corner of the East Half of said Southwest Quarter; thence continuing South 89 degrees 31 minutes 59 seconds West along the North line thereof a distance of 330.88 feet to the Northwest corner of a tract of land described in Instrument Number 199909955060 in the Office of the Recorder of Hamilton County, Indiana; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 984.63 feet to a capped rebar on the North line of a tract of land described in Instrument Number 200400083420 in said Recorder's Office; thence North 89 degrees 35 minutes 51 seconds East along the North line thereof a distance of 334.70 feet to a capped rebar marking the Northeast corner of said tract; thence South 00 degrees 11 minutes 51 seconds West along the East line thereof and along the East line of a tract of land described in Instrument Number 200500074587 in said Recorder's Office a distance of 1360.05 feet to the intersection of the East line of said tract and the West line of the East Half of said Southwest Quarter; thence South 00 degrees 02 minutes 10 seconds West along the West line thereof a distance of 162.22 feet to a capped rebar on the Northerly line of a 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231 in said Recorder's Office, said point measuring 16.5 feet North and perpendicular to the centerline of an existing gas line; (the next 4 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northerly line of said Easement) thence North 50 degrees 59 minutes 49 seconds East a distance of 1252.01 feet; thence North 53 degrees 27 minutes 51 seconds East a distance of 397.70 feet; thence North 50 degrees 59 minutes 48 seconds East a distance of 865.93 feet; thence North 53 degrees 56 minutes 17 seconds East a distance of 158.93 feet to a capped rebar on the West line of a tract of land

described in Instrument Number 9709730812 in said Recorder's Office; (the next 3 courses being along the perimeter lines of said tract); thence North 00 degrees 03 minutes 15 seconds West a distance of 542.96 feet to a capped rebar; thence North 89 degrees 30 minutes 48 seconds East a distance of 591.13 feet to a capped "Hahn" rebar; thence South 00 degrees 45 minutes 45 seconds West a distance of 119.67 feet to a capped rebar on the Northerly line of said 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231, said point measuring 16.5 feet North and perpendicular to the centerline of an existing gas line; (the next 2 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northerly line of said Easement) thence North 66 degrees 31 minutes 16 seconds East a distance of 713.23 feet; thence North 23 degrees 10 minutes 49 seconds East a distance of 176.73 feet to the POINT OF BEGINNING. Containing 136.822 acres, more or less.

ALSO

Parcel 2 ("Schreiber Remainder B"):

A part of the Southeast Quarter of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

BEGINNING at an Iron pin marking the Northeast corner of the Southeast Quarter of said Section 17; thence South 89 degrees 26 minutes 39 seconds West (bearings based on the Indiana State Plane Coordinate System, East Zone, NAD 83, CORS 96) along the North line thereof a distance of 562.25 feet to a "Mag" nail on the Northwesterly line of a 33 foot wide Gas Line Easement as recorded in Deed Record 176, Page 231 in the Office of the Recorder of Hamilton County, Indiana, said point measuring 16.5 feet Northwesterly and perpendicular to the centerline of an existing gas line; (the next 2 courses being parallel with and measuring 16.5 feet perpendicular to said existing gas line and along the Northwesterly line of said Easement) thence South 23 degrees 10 minutes 49 seconds West a distance of 176.73 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035"; thence South 66 degrees 31 minutes 16 seconds West a distance of 713.23 feet to a 5/8 inch capped rebar marked "C2LS Firm #0035" on the East line of a tract of land described in Instrument Number 9709730812 in said Recorder's Office; thence South 00 degrees 45 minutes 45 seconds West along the East line thereof a distance of 545.89 feet to the Northwest corner of a tract of land described in Instrument Number 200200010702 in said Recorder's Office; thence North 89 degrees 30 minutes 48 seconds East along the North line thereof a distance of 383.41 feet to the Northeast corner of said tract; thence South 00 degrees 03 minutes 15 seconds East along the East line thereof a distance of 406.32 feet to the Southeast corner of said tract; thence South 89 degrees 30 minutes 48 seconds West along the South line thereof and along the South line of a tract of land described in Instrument Number 200100027371 in said Recorder's Office a distance of 183.90 feet to an Easterly corner of said tract; thence South 00 degrees 03 minutes 15 seconds East along the East line thereof a distance of 985.65 feet to the North right-of-way line of 146th Street as recorded in Instrument Number 2016013973 in said Recorder's Office; (the next 11 courses being along the North right-of-way of said 146th Street and along the West right-of-way of Towne Road as described in said Instrument Number 2016013973) thence North 89 degrees 35 minutes 51 seconds East

a distance of 409.99 feet; thence North 72 degrees 53 minutes 53 seconds East a distance of 52.20 feet; thence North 89 degrees 35 minutes 50 seconds East a distance of 75.00 feet; thence South 73 degrees 42 minutes 12 seconds East a distance of 52.20 feet; thence South 88 degrees 35 minutes 55 seconds East a distance of 95.30 feet to a point on a curve having a radius of 145.00 feet; thence Northeasterly along said curve to the left an arc distance of 226.88 feet, said curve being subtended by a long chord having a bearing of North 44 degrees 46 minutes 19 seconds East and a length of 204.44 feet; thence North 03 degrees 06 minutes 12 seconds West a distance of 93.98 feet to a point on a curve having a radius of 220.00 feet; thence Northeasterly along said curve to the right an arc distance of 345.58 feet, said curve being subtended by a long chord having a bearing of North 44 degrees 56 minutes 47 seconds East and a length of 311.13 feet; thence North 89 degrees 56 minutes 47 seconds East a distance of 5.32 feet; thence North 00 degrees 03 minutes 15 seconds West a distance of 45.85 feet; thence North 89 degrees 56 minutes 47 seconds East a distance of 50.00 feet to the East line of said Southeast Quarter; thence North 00 degrees 03 minutes 15 seconds West along the East line thereof a distance of 1881.33 feet to the POINT OF BEGINNING. Containing 55.014 acres, more or less.

ALSO

PARCEL 3 (Easement Area):

A part of the Southwest Quarter of Section 17, Township 18 North, Range 3 East, in Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Those portions of the following two easements located within Hamilton County Tax Parcel Numbers 08-09-17-00-00-009.000 and 08-09-17-00-00-008.001, said Parcels described in Instrument Number 199909955060 in the Office of the Recorder of Hamilton County, Indiana, and being west of the west property line of the Miller Property, as described in Instrument Number 9709730812 recorded in said Recorders Office: 1) Easement for Buckeye Pipeline Company, a thirty-three (33) foot wide easement as described in D.R. 176, Page 231; 2) Right-of-Way Easement for Socony-Vacuum Oil Company, Inc., being fifty (50) feet wide as described in M.R. 34, Page 263.

MJG Properties, LLC (from Instrument No. 200500014560):

Part of the Northeast Quarter of Section 9, Township 18 North, Range 3 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana, described as follows:

Commencing at the northwest corner of the Northeast Quarter of Section 9, Township 18 North, Range 3 East, Second Principal Meridian, Washington Township, Hamilton County, Indiana; thence North 89 degrees 58 minutes 41 seconds East (Indiana State Plane Coordinate System-East Zone NAD83) a distance of 181.00 feet on the north line of said Northeast Quarter to the northeast corner of the real estate described in Deed Book 305 Page 665, in the Office of the Recorder, Hamilton County, Indiana, said corner being the point of beginning of the herein described parcel; thence South 00 degrees 08 minutes 09 seconds West 1314.99 feet on the east line of the real estate described in said Deed Book 305 page

665, and the southerly prolongation thereof to a 5/8 inch diameter rebar with cap marked Weihe Engineers 0012 ("capped rebar") on the south line of the North Half of said Northeast Quarter; thence North 89 degrees 54 minutes 49 seconds East 762.15 feet on the south line of the North Half of said Northeast Quarter to a "capped rebar"; thence North 00 degrees 08 minutes 09 seconds East 1314.06 feet to a pk nail on the north line of said Northeast Quarter; thence South 89 degrees 58 minutes 41 seconds West 762.15 feet on the north line of said Northeast Quarter to the point of beginning, containing 23.00 acres, more or less.

Homann Parcel (from Instrument #2014032821):

PARCEL 1:

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 926.78 feet to a mag nail set at the POINT OF BEGINNING; thence South 88 degrees 30 minutes 33 seconds East 355.80 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 00 degrees 37 minutes 49 seconds East 107.23 feet to a rebar; thence South 20 degrees 36 minutes 32 seconds East 216.78 feet to a rebar; thence South 53 degrees 09 minutes 01 second East 124.95 feet to a rebar; thence South 84 degrees 58 minutes 32 seconds East 95.85 feet to a rebar; thence North 01 degree 29 minutes 53 seconds East 236.92 feet to an existing corner post; thence North 83 degrees 27 minutes 59 seconds East 85.98 feet to a rebar; thence North 09 degrees 55 minutes 50 seconds East 65.30 feet to a rebar; thence North 87 degrees 09 minutes 41 seconds West 89.40 feet to a rebar; thence North 03 degrees 54 minutes 49 seconds East 174.29 feet to a rebar; thence South 83 degrees 43 minutes 11 seconds East 354.47 feet to a rebar; thence North 01 degree 18 minutes 05 seconds East 197.68 feet to a rebar; thence South 89 degrees 22 minutes 02 seconds West 368.24 feet to a rebar; thence North 01 degree 13 minutes 48 seconds East 218.81 feet to a rebar; thence South 89 degrees 50 minutes 31 seconds East 1360.14 feet to a rebar; thence South 00 degrees 19 minutes 30 seconds West 919.69 feet to a rebar; thence South 89 degrees 48 minutes 03 seconds West 998.63 feet to a rebar; thence South 00 degrees 31 minutes 20 seconds West 30.00 feet; thence South 89 degrees 50 minutes 47 seconds West 1008.00 feet to a mag nail on the West line of said Quarter Section, which lies North 00 degrees 31 minutes 20 seconds East 1201.20 feet from the Southwest corner of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along the West line of said Quarter Section, 499.53 feet to the point of beginning and containing 32.694 acres, more or less.

(NOTE: the foregoing Parcel 1 consists of 3 separate presently existing tax parcels and Grantor does not wish to combine these parcels with this deed)

PARCEL 2:

Part of the northwest quarter of Section 17, Township 18 North, Range 3 east of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the southwest corner of said quarter section; thence north 00 degrees 31 minutes 20 seconds east 1121.20 feet to a mag nail set with washer, stamped "firm 0066" at the point of beginning; thence continuing along said west line, north 00 degrees 31 minutes 20 seconds east 80.00 feet; thence north 89 degrees 50 minutes 47 seconds east, parallel with the south line of said quarter section, 1008.00 feet; thence south 00 degrees 31 minutes 20 seconds west, parallel with the west line of said quarter section, 110.00 feet to a 5/8 inch rebar. With red cap stamped "firm 0066"; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 991.50 feet to a 5/8 inch rebar with red cap stamped firm 0066; thence north 00 degrees 31 minutes 20 seconds east, parallel with the west line of said quarter section, 30.00 feet; thence south 89 degrees 50 minutes 47 seconds west, parallel with the south line of said quarter section, 16.50 feet to the point of beginning.

Karen Koss Parcel (from Instrument #2016054888):

Part of the Northwest Quarter of Section 17, Township 18 North, Range 3 East of the Second Principal Meridian, in Hamilton County, Indiana, described as follows:

Commencing at the Northwest corner of the Northwest Quarter of said Section; thence South 00 degrees 31 minutes 20 seconds West (assumed bearing) 454.85 feet to mag nail at the POINT OF BEGINNING; thence South 88 degrees 56 minutes 49 seconds East 643.23 feet to a 5/8 inch rebar with red cap stamped FIRM 0066, (hereafter referred to as rebar); thence South 01 degree 13 minutes 48 seconds West 218.81 feet to a rebar; thence North 89 degrees 22 minutes 02 seconds East 368.24 feet to a rebar; thence South 01 degree 18 minutes 05 seconds West 197.68 feet to a rebar; thence North 83 degrees 43 minutes 11 seconds West 354.47 feet to a rebar; thence South 03 degrees 54 minutes 49 seconds West 174.29 feet to a rebar; thence South 87 degrees 09 minutes 41 seconds East 89.40 feet to a rebar; thence South 09 degrees 55 minutes 50 seconds West 65.30 feet to a rebar; thence South 83 degrees 27 minutes 59 seconds West 85.98 feet to an existing corner post; thence South 01 degree 29 minutes 53 seconds West 236.92 feet to a rebar; thence North 84 degrees 58 minutes 32 seconds West 95.85 feet to a rebar; thence North 53 degrees 09 minutes 01 second West 124.95 feet to a rebar; thence North 20 degrees 36 minutes 32 seconds West 216.78 feet to a rebar; thence North 00 degrees 37 minutes 49 seconds West 107.23 feet to a rebar; thence North 88 degrees 30 minutes 33 seconds West 355.80 feet to a mag nail on the West line of said Quarter Section; thence North 00 degrees 31 minutes 20 seconds East, along said West line, 471.93 feet to the point of beginning and containing 10.683 acres, more or less.

(End of Legal Description)

Exhibit B: Concept Plans

Exhibit B-1: Single Family District Areas

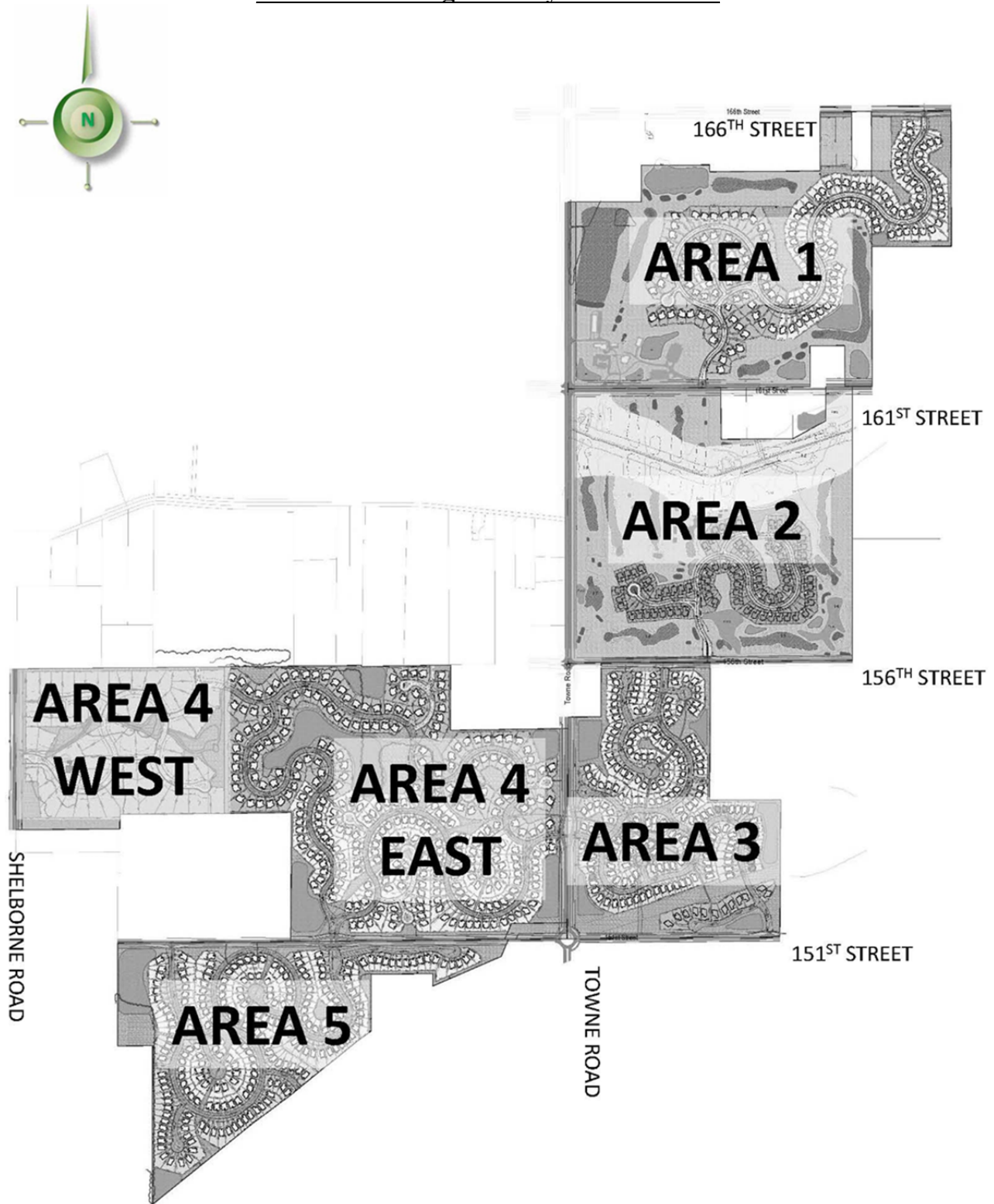


Exhibit B-2: Single Family District Layout



Exhibit B-2-A: Single Family District Layout – Area 1



Exhibit B-2-B: Single Family District Layout – Area 2



Exhibit B-2-C: Single Family District Layout – Area 3



Exhibit B-2-D: Single Family District Layout – Area 4

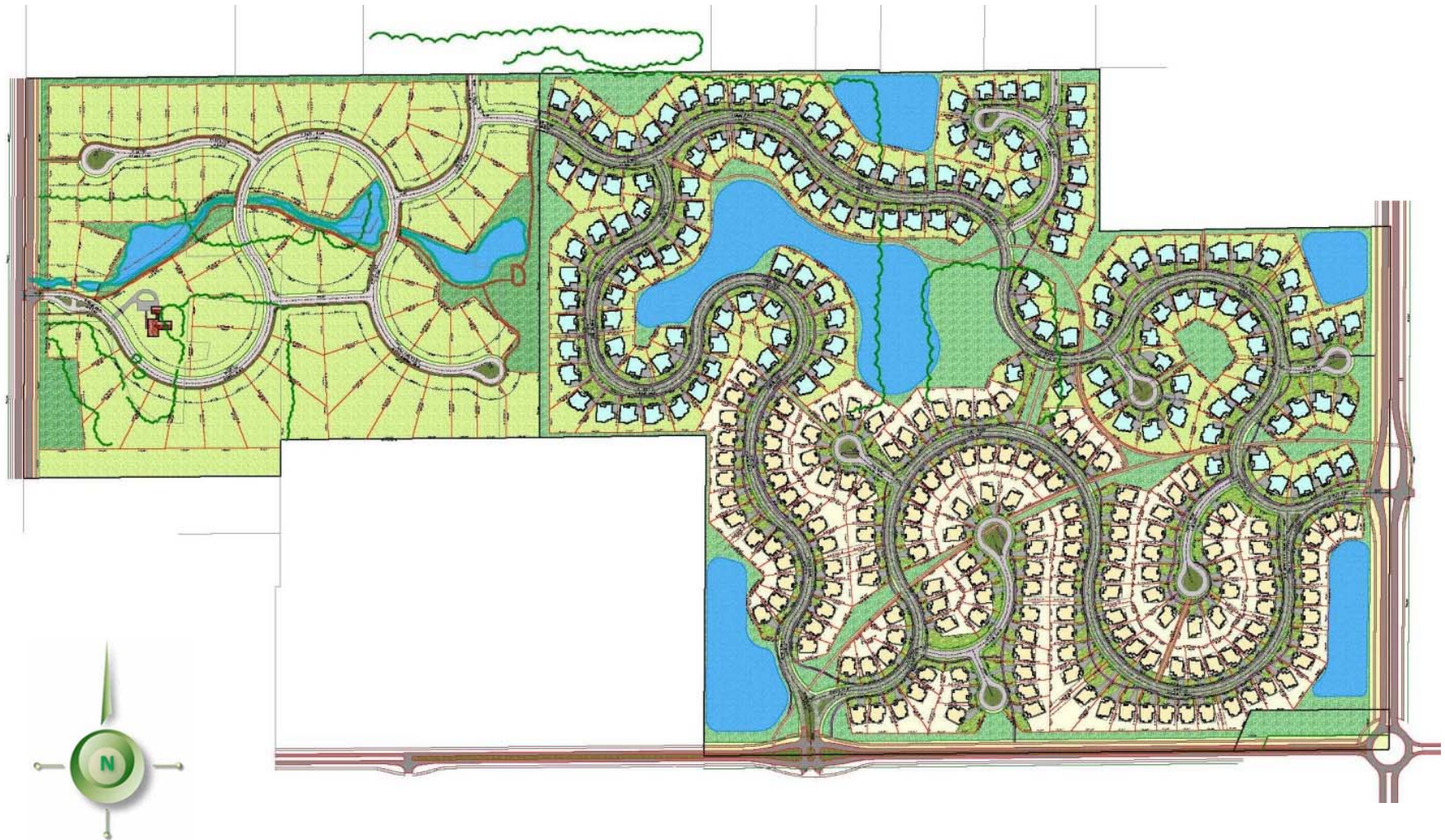


Exhibit B-2-E: Single Family District Layout – Area 5



Exhibit B-3: Single Family District Standards

	AREA					
STANDARD	1 ⁽¹⁾	2	3	4 East	4 West	5
Minimum Lot Area ⁽²⁾	11,000 sf	10,750 sf	9,500 sf	11,000 sf	22,000 sf	10,000 sf
Average Lot Area	14,500 sf	13,000 sf	11,000 sf	14,000 sf	27,500 sf	12,000 sf
Minimum Lot Frontage	30’	20’	15’	30’	36’	30’
Minimum Building Setback Lines						
Front Yard	25’	25’	25’	25’	25’	25’
Side Yard	3’	5’	7’	3’	5’	7’
Side Yard (Lot Aggregate)	10’	10’	14’	10’	10’	14’
Rear yard	25’	25’	25’	25’	25’	25’
Minimum Lot Width	75’	75’	60’	63’	100’	63’
Maximum Building Height ⁽³⁾	Two and one-half (2 ½) Stories					
Minimum Living Area (Ground Floor)						
Single Story	2,300 sf	2,600 sf	1,600 sf	2,300 sf	2,300 sf	1,600 sf
Two Story	1,300 sf	2,300 sf	1,100 sf	1,300 sf	1,300 sf	1,100 sf
Minimum Living Area (Total)						
Two Story	2,700 sf	3,000 sf	2,400 sf	2,700 sf	2,700 sf	2,700 sf
⁽¹⁾ Exclusive of the three Custom Home lots along 166 th Street.						
⁽²⁾ The minimum lot area of up to 20% of the lots in each Area listed may be reduced by up to 20% in lot area, provided that the “Average Lot Area” for the applicable Area shall be met.						
⁽³⁾ Golf Course and Development Amenity buildings shall not exceed fifty-five (55’).						

Exhibit B-4: Commercial / Flexible Use / Multi-Family Area

Exhibit B-4-A: Commercial / Flexible Use / Multi-Family Area Districts

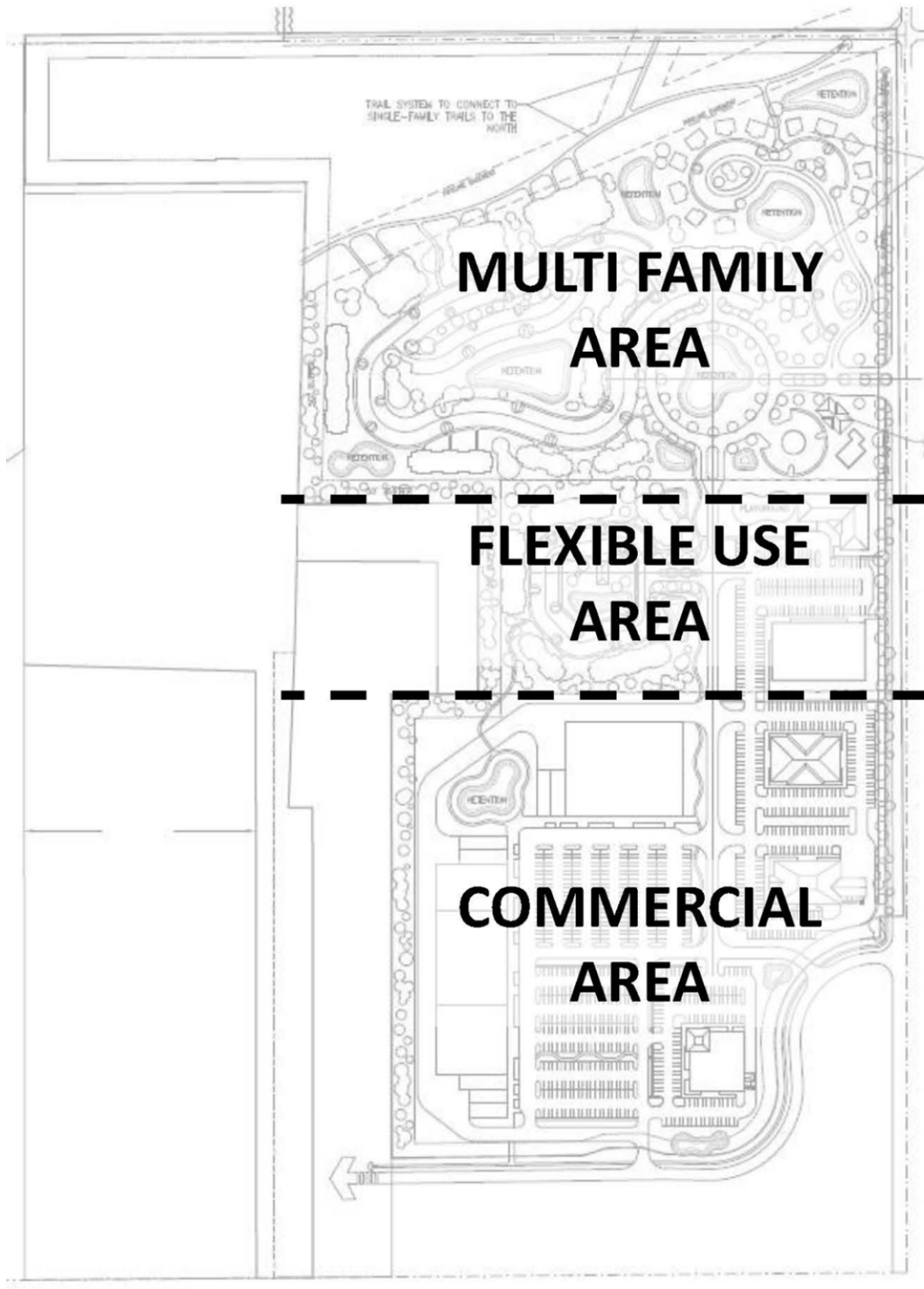


Exhibit B-4-B: Commercial / Flexible Use / Multi-Family Area Concept Plan

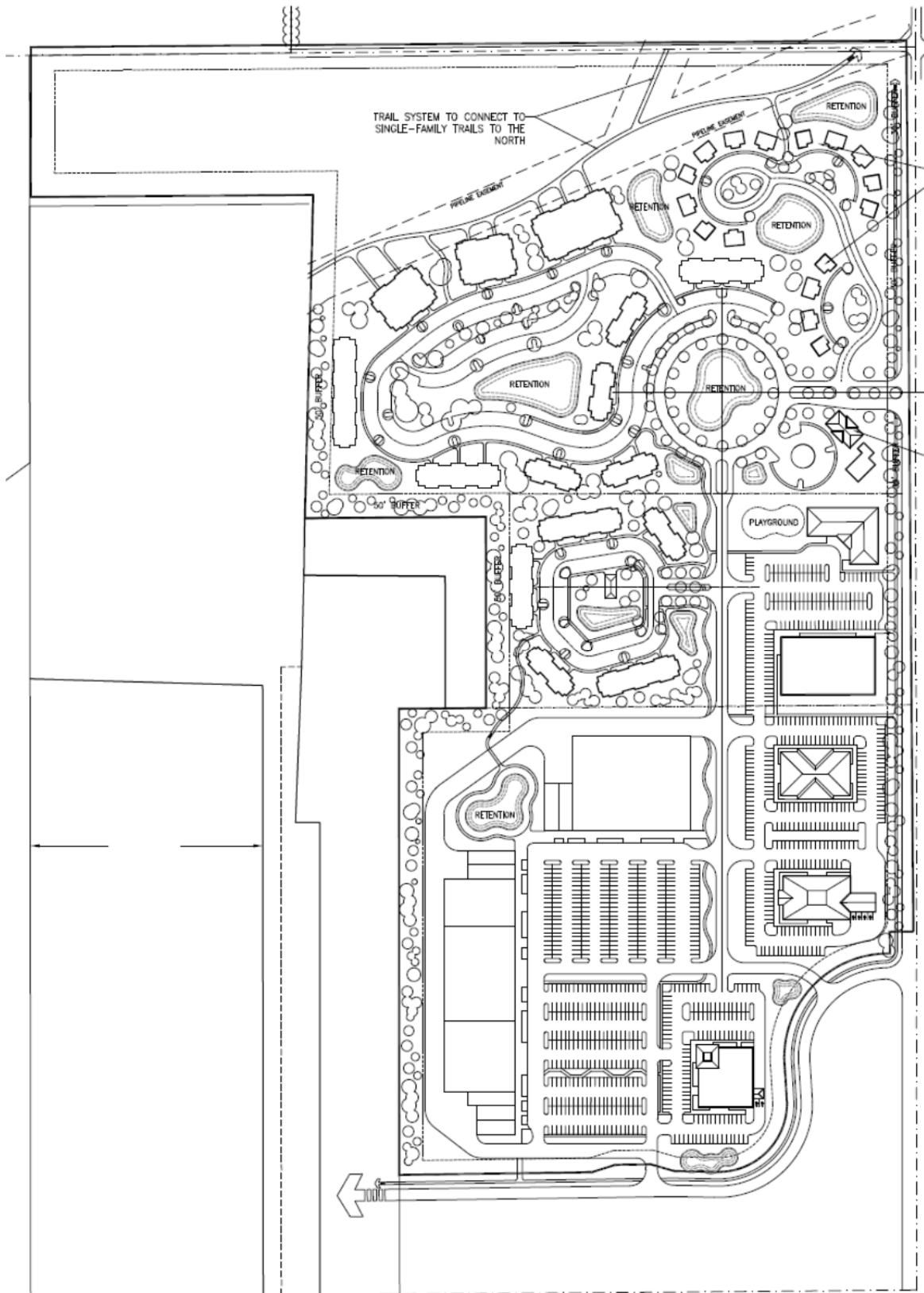


Exhibit C: Single Family Character Exhibits

Exhibit C-1: Illustrative Front Elevations for Area 1 and Area 4 East



Exhibit C-2: Illustrative Front Elevations for Area 2



Exhibit C-3: Illustrative Front Elevations for Area 3



Exhibit C-4: Illustrative Front Elevations for Area 5



Exhibit D: Streetscape Exhibits

Exhibit D-1: Perimeter Lots Subject to Architectural Standards

Area 1



Exhibit D-1: Perimeter Lots Subject to Architectural Standards

Area 2

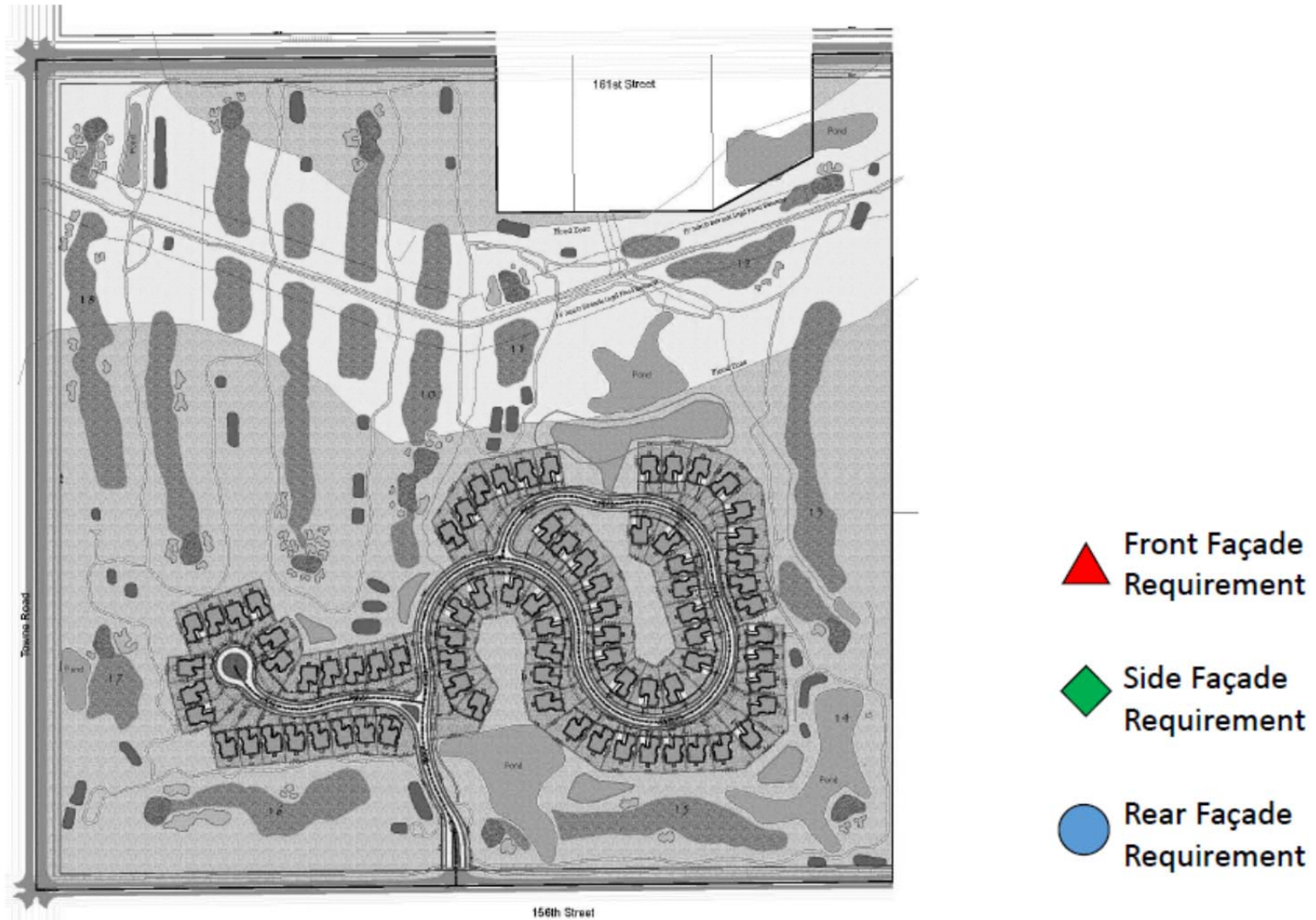


Exhibit D-1: Perimeter Lots Subject to Architectural Standards

Area 3



Exhibit D-1: Perimeter Lots Subject to Architectural Standards

Area 4

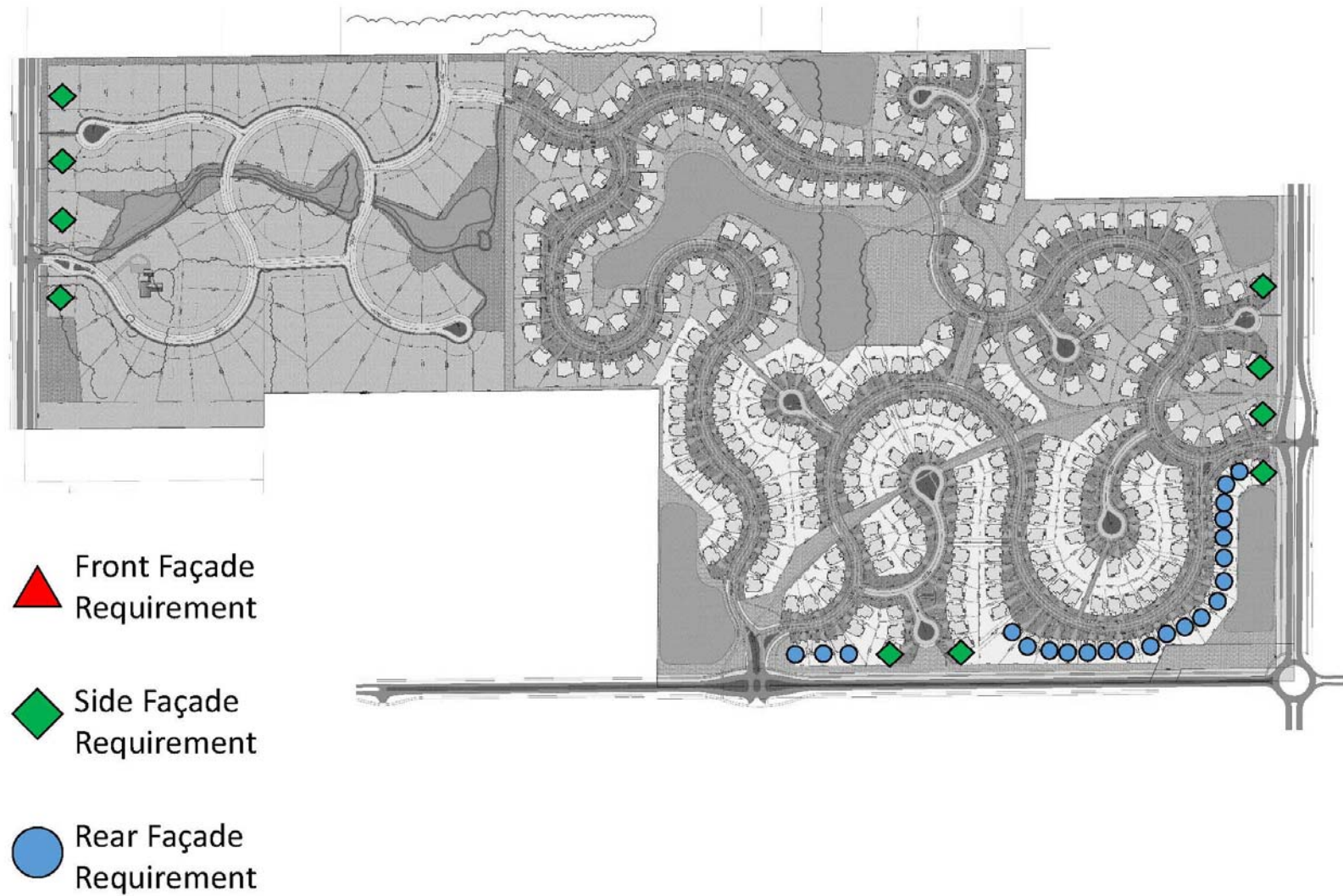


Exhibit D-1: Perimeter Lots Subject to Architectural Standards

Area 5

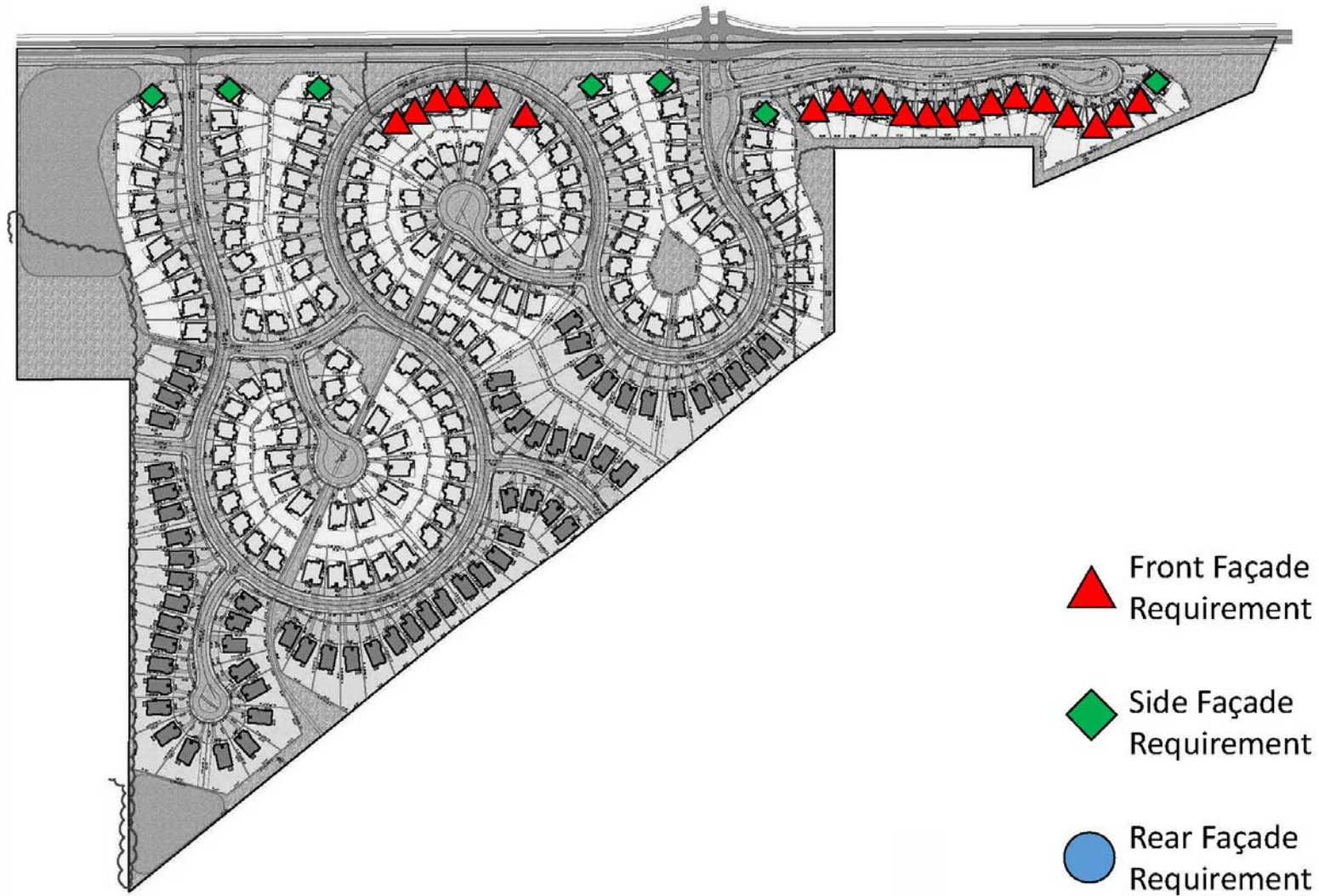


Exhibit D-2 - Illustrative Garage Door Treatments



Exhibit D-2 - Illustrative Garage Door Treatments (Continued)



Exhibit D-2 - Illustrative Garage Door Treatments (Continued)



Exhibit E – Buffer Yard Exhibits

Exhibit E-1: Road Frontage Landscaping

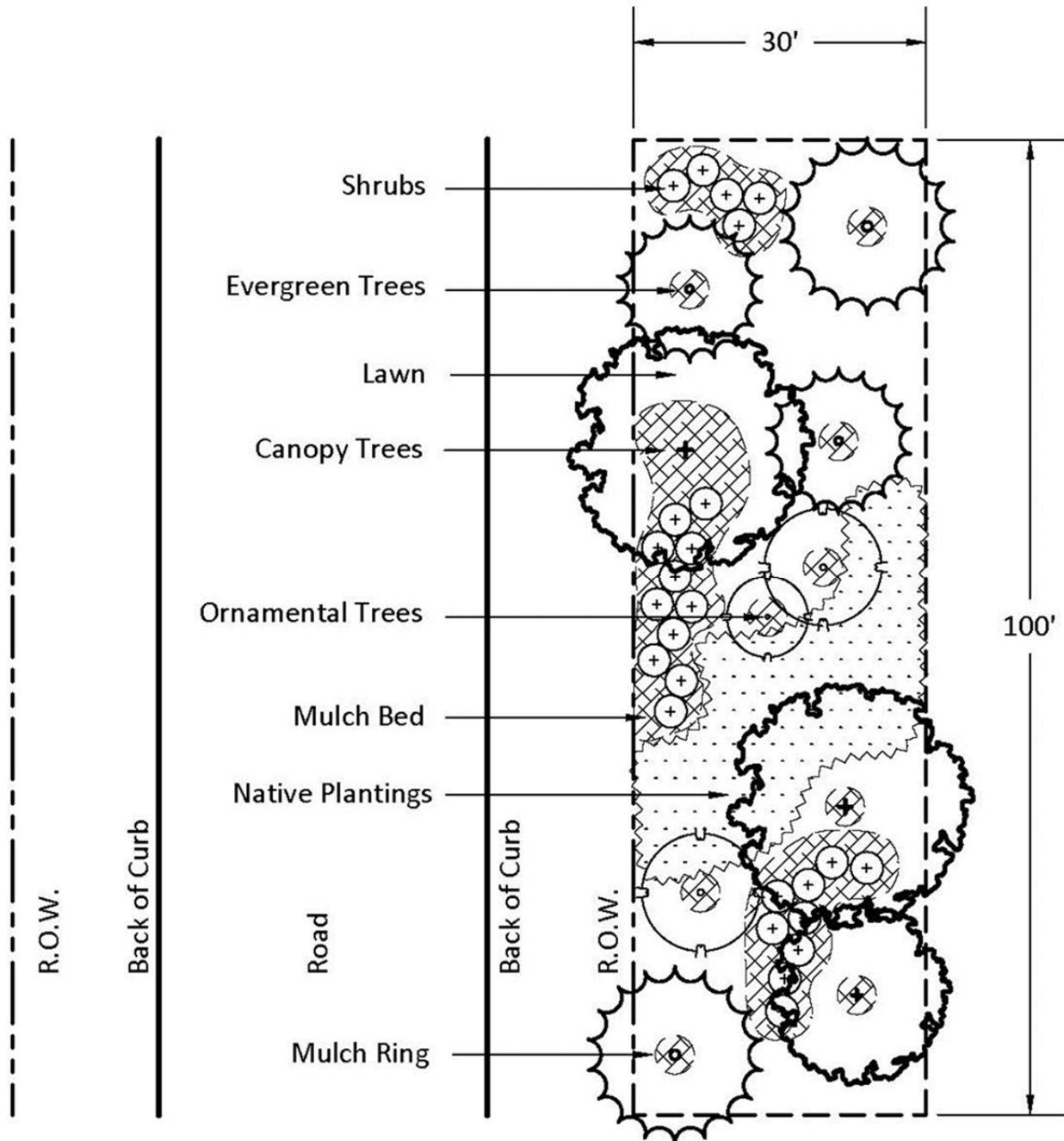


Exhibit E-2: Buffer Yard Locations

Buffer Yards for Area 1



Exhibit E-2: Buffer Yard Locations

Buffer Yards for Area 2



Exhibit E-2: Buffer Yard Locations

Buffer Yards for Area 3



Exhibit E-2: Buffer Yard Locations

Buffer Yards for Area 4

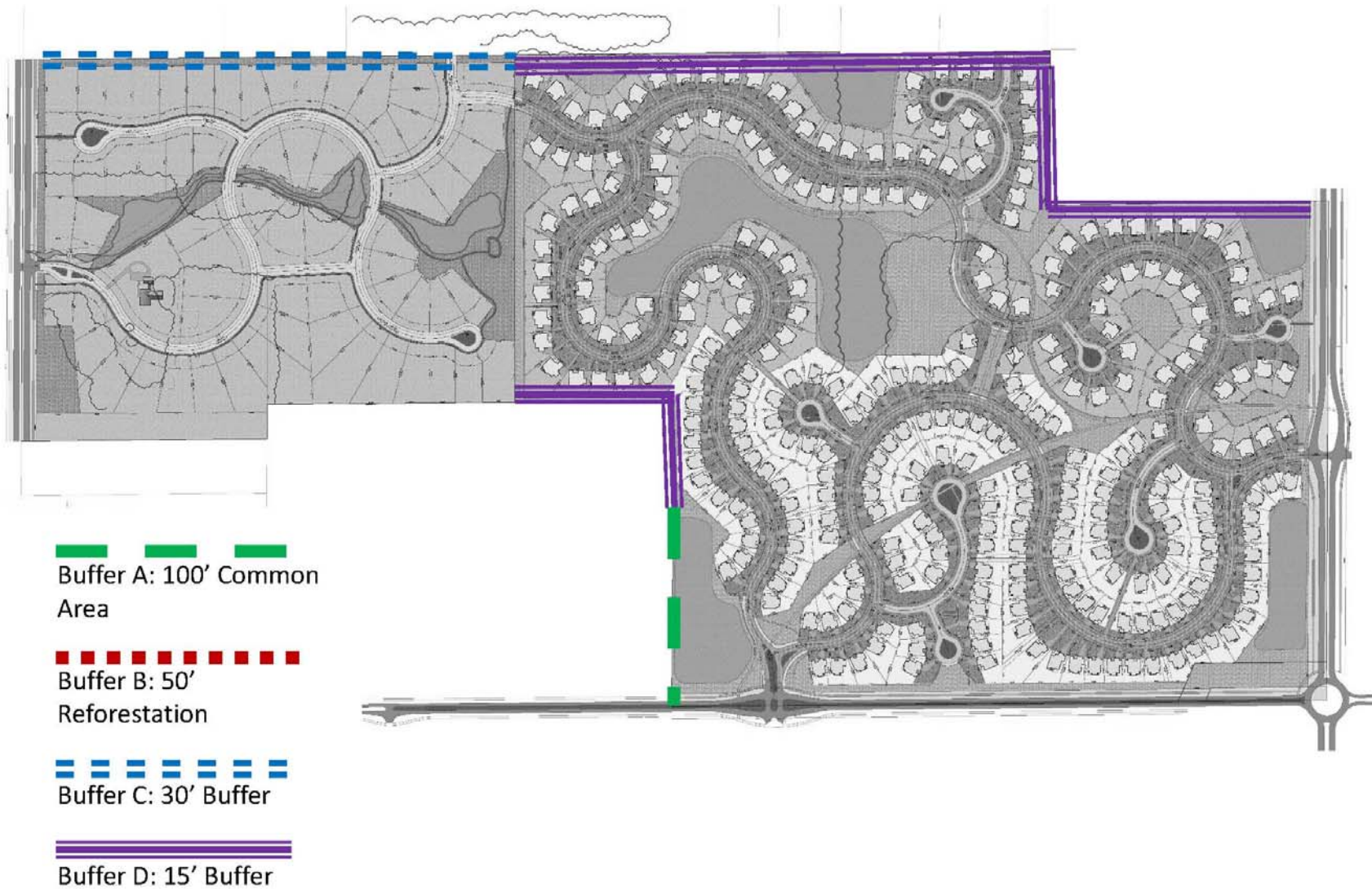


Exhibit E-2: Buffer Yard Locations

Buffer Yards for Area 5



Exhibit E-2: Buffer Yard Locations

(Commercial / Flexible Use / Multi-Family Area)

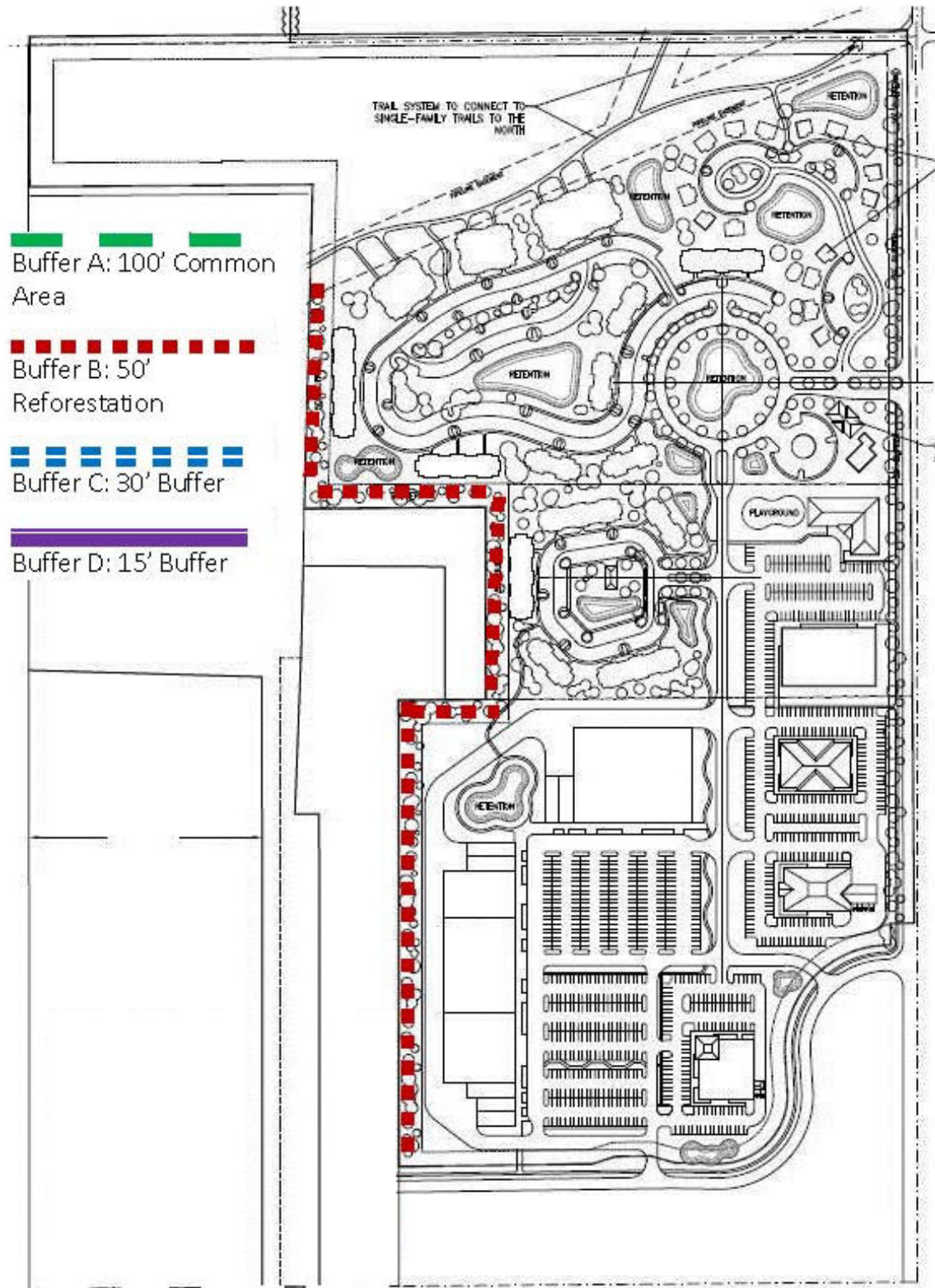
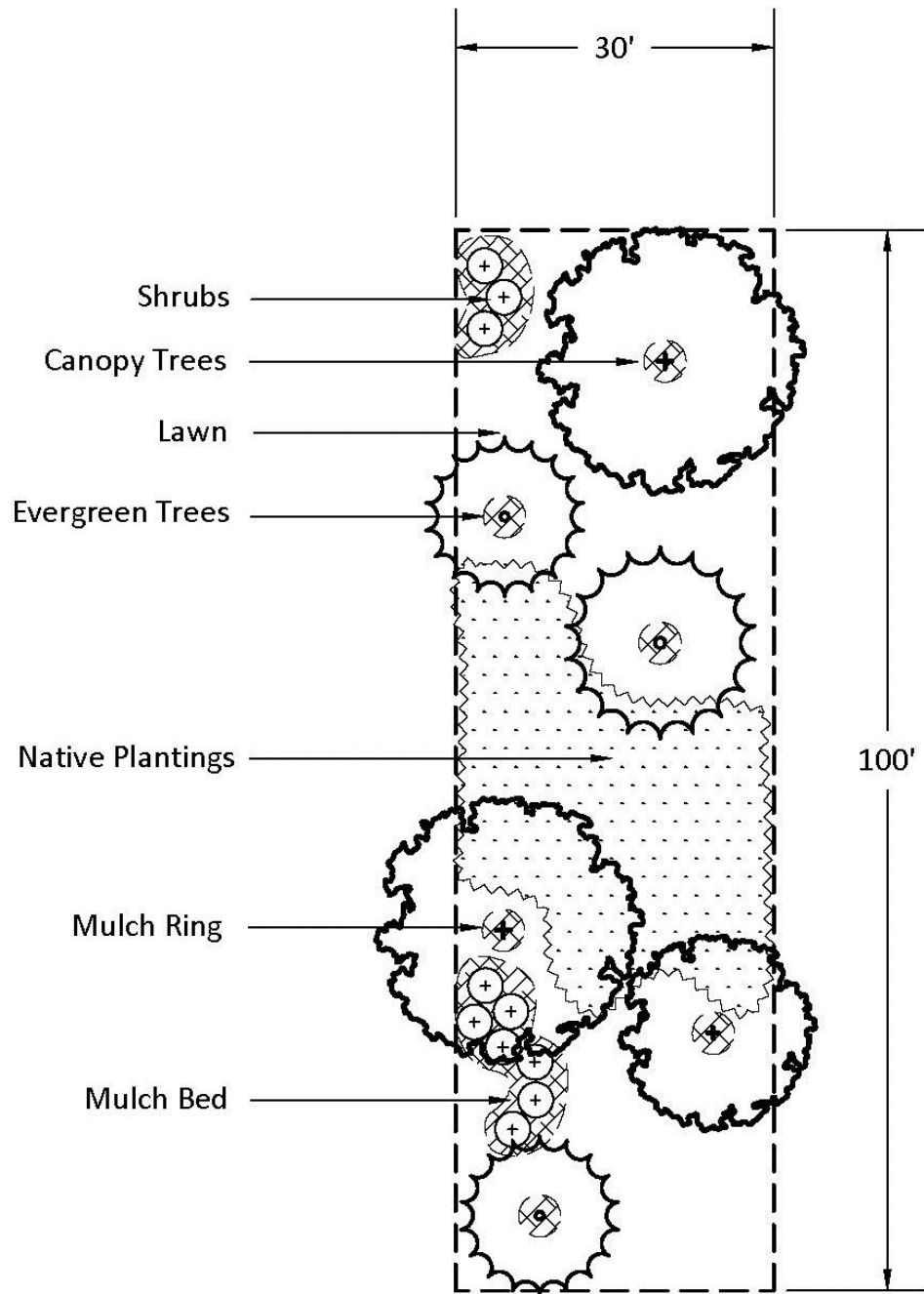
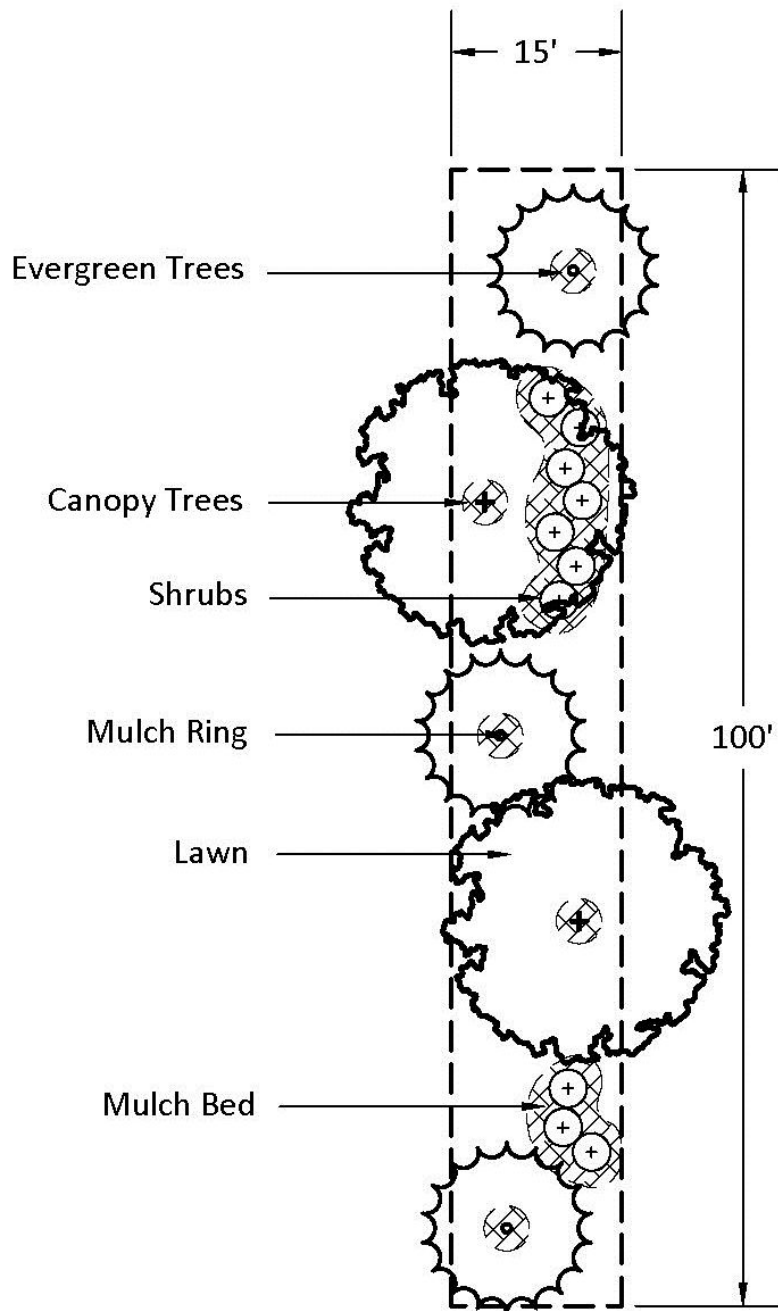


Exhibit E-3: Buffer Yard Type C



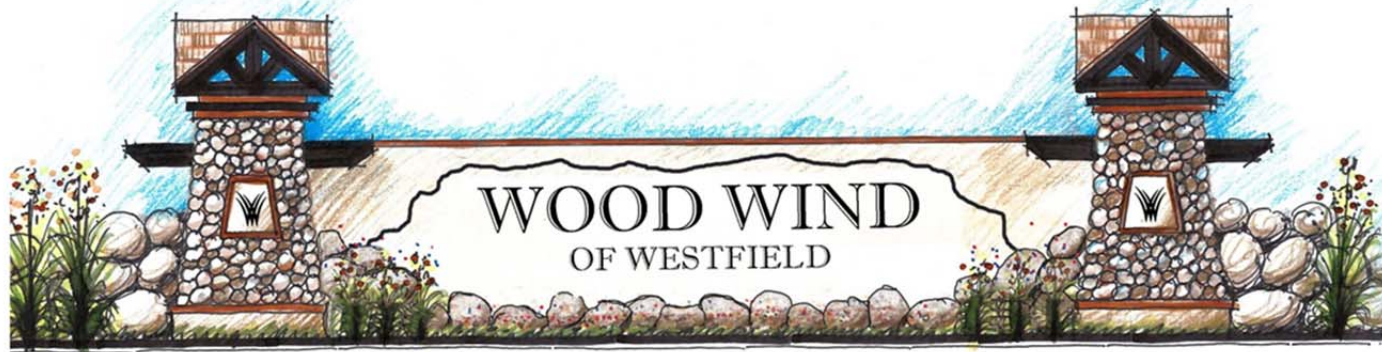
30' Buffer

Exhibit E-4: Buffer Yard Type D



15' Buffer

Exhibit F: District Monument Sign & Column Entrance Signs



MONUMENT SIGNAGE
SCALE: NTS

WOOD  WIND

Rick Harrison Site Design
Studio

HFD
HFD Green

 Pulte
Homes

Exhibit G: Golf Course Buildings Character Exhibit



Exhibit H: Multi-Family Area General Design Goals



Exhibit I: Commercial Area Architectural Character Imagery



ARCHITECTURAL CHARACTER IMAGERY



Exhibit I: Commercial Area Architectural Character Imagery (Continued)



ARCHITECTURAL CHARACTER IMAGERY

